

LAW OFFICES  
**DUVAL, FUNDERBURK, SUNDBERY, LOVELL & WATKINS**

*(A Professional Law Corporation)*

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P.O. BOX 3017  
HOUMA, LOUISIANA 70361

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SUPERFUND DIV.  
REMEDIAL BRANCH  
(6SF-R)

July 21, 2015

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(1914-1986)

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KATHRYN W. RICHARD

Mr. Kenneth Talton, Enforcement Officer  
Superfund Enforcement Assessment Section (6SF-TE)  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

Re: SBA Shipyard Superfund Site, Jennings, Jefferson Davis Parish, Louisiana  
CERCLIS #: LAD008434185

Dear Mr. Talton:

This firm represents Cenac Towing Co., L.L.C., the surviving entity of the Cenac Towing Co., Inc. and Cenac Towing Co., L.L.C. merger. The following is Cenac Towing Co., LLC's response to the May 15, 2015 letter sent to it from Ben Banipal, P.E. referencing the above matter.

**GENERAL INFORMATION CONCERNING RESPONDENT**

1. Provide the full legal name and mailing address of the Respondent.

Cenac Towing Co., LLC (through merger with Cenac Towing Co., Inc.)  
c/o Arlen B. Cenac, Jr.  
P. O. Box 2617  
Houma, La. 70361

2. Identify and provide the full name, title, business address, and business telephone number for each person answering these questions on behalf of the Respondent, and each person(s) that was relied on or consulted with in the preparation of the answer.

Andre C. Broussard, Jr.  
P.O Box 2617  
Houma, La. 70361  
(985) 872-2413  
Current in-house counsel

500011470



EPA Response Letter

July 21, 2015

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3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, including legal notices, please provide the individual's name, address, and telephone number.

Andre C. Broussard, Jr.  
P.O Box 2617  
Houma, La. 70361  
(985)872-2413  
Current in-house counsel

4. If Respondent is a business, please give a brief description of the nature of the business.

Cenac Towing Co., Inc. was a marine towing company. It is no longer in business. On July 3, 2008, Cenac Towing Co., Inc. merged with Cenac Towing Co., L.L.C. and the L.L.C. was the surviving entity.

**REQUESTS FOR DOCUMENTS**

1. Please identify any dealings or transactions you have or had with SBA Shipyards, Inc., Louis Smailhall, Suzanne Smailhall, LEEVAC Shipyards, Inc., n/k/a/ Bunge Street Properties, LLC, and LEEVAC Industries, LLC n/k/a LEEVAC Shipyards Jennings, LLC. Please provide a brief description of the nature of those dealing or transactions and the timeframes during which those dealings and transactions occurred.
  - a. Specifically, provide dates of when you sent or moved something to the Site and the name and contact information of the person who made such arrangements.

A search of Cenac Towing Co., Inc.'s old and surviving records was conducted to determine what, if any, dealings or transactions it may have had with SBA Shipyards, Inc., Louis Smailhall, Suzanne Smailhall, LEEVAC Shipyards, Inc., n/k/a/ Bunge Street Properties, LLC, and LEEVAC Industries, LLC n/k/a LEEVAC Shipyards Jennings, LLC. Since the merger of Cenac Towing Co., Inc. with Cenac Towing Co., LLC, the office location has changed several times and limited if any records were able to be located. The records that were able to be located allegedly indicate that barges were sent by Cenac Towing Co., Inc. to be cleaned at SBA Shipyards, Inc.

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during the time period of 11/14/1988 through 2/3/1996. Upon information and belief, all of the records pertaining to the SBA Superfund Site were provided to the EPA in or about 2002 in connection with RCRA Interim Measures/Removal Action of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., Jennings, LA, EPA ID No. LAD008434185, Docket No. RCRA-6-2002-0908.

Cenac Towing Co., Inc. was a member of SSIC Remediation, LLC which entered into a voluntary agreement with the EPA to clean up the site. The EPA deemed the remediation successfully completed in or about 2005. At that time, EPA attorney Scott McDonald confirmed via emails that "SSIC member companies will not be called upon or required to make further contributions towards the clean-up." The emails have been attached as part of Exhibit A.

Attached hereto as Exhibit A are the old documents of Cenac Towing Co., Inc. that were able to be located.

2. Please provide any and all documents in your possession that are related to the dealings and transactions detailed in Question 1 above.

Please see documents attached as Exhibit A.

3. If any of the dealings or transactions described involve hazardous materials, please include a detailed listing of such materials, the materials data safety sheet, dates of transaction, and any quantity associated with those materials.

Please see documents attached as Exhibit A.

4. Please describe in detail any involvement you had with the 2002 RCRA Interim Measures/Removal Action (IM/RA) at the Site. Please provide any and all documents in your possession related to the IM/RA, including, but not limited to, a listing of the parties involved in the IM/RA.

Cenac Towing Co., Inc. was a member of SSIC Remediation, LLC which entered into a voluntary agreement with the EPA to clean up the site. The EPA deemed the remediation successfully completed in or about 2005. At that time, EPA attorney Scott McDonald confirmed via emails that "SSIC member companies will not be called upon or required to make further contributions towards the clean-up." The emails have been attached as part of Exhibit A.

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5. Please provide the names, title, and contact information of anyone, including, but not limited to, employees, who may possess knowledge and information regarding this Site and/or your own business operations.

Andre C. Broussard, Jr.  
P.O. Box 2617  
Houma, Louisiana 70361  
(985) 872-2413  
Current in-house counsel

Arlen B. Cenac, Jr.  
P.O. Box 2617  
Houma, Louisiana 70361  
(985) 872-2413

Keith Besson  
P.O. Box 2617  
Houma, Louisiana 70361  
(985) 872-2413

6. Identify all of the individuals who currently have and those who have had responsibility for the Respondent's environmental matters (e.g., responsibility for the disposal, treatment, storage, recycling, or sale of the Respondent's wastes). This information shall include, but not be limited to, the following:
- a. Each individual's job title and duties (including the dates performing those duties),
  - b. The supervisors for such duties,
  - c. The current position or the date of the individual's resignation, and
  - d. The nature of the information possessed by such individuals concerning the Respondent's waste management.
  - e. The contact information of the individual.

Upon information and belief, the individuals previously having responsibility for Cenac Towing Co., Inc.'s environmental matters during the time period in question are now deceased.

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7. Does the Respondent's company or business have a permit(s) issued under RCRA? If so, provide a copy(ies) of the permit(s).

No. Cenac Towing Co., Inc. is no longer in business.

8. Provide all Resource Conservation and Recovery Act (RCRA) Identification Numbers issued to Respondent by RPA or a state for Respondent's operations.

No responsive records of Cenac Towing Co., Inc. have been located, except for documents referring to Docket No. RCRA-6-2002-0908.

9. Does the Respondent's company or business have, or has it ever had, a permit(s) under the hazardous waste laws of the State? If so, provide a copy(ies) of the permit(s).

Cenac Towing Co., Inc. does not have a permit as it is no longer in business. No responsive records of Cenac Towing Co., Inc. have been located to indicate past permits.

10. Does the Respondent's company or business have an EPA Identification Number, or an identification number supplied by the State? If so, supply any such identification number(s).

No. Cenac Towing Co., Inc. is no longer in business.

11. Identify all federal, state, and local offices and agencies to which the Respondent has sent or filed hazardous substance or hazardous waste information and state the years during which such information was sent or filed.

Cenac Towing Co., Inc. sent information to the EPA in or about 2002 in connection with RCRA Interim Measures/Removal Action of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., Jennings, LA, EPA ID No. LAD008434185, Docket No. RCRA-6-2002-0908. No other responsive documents have been located.

12. Provide copies of all documents created or kept by the Respondent related to the nature, quantity, or source of the materials taken to the Site.

The only records that could be located are attached as Exhibit A.

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13. If barges were placed or disposed at the Site, provide the following information:

- a. Where they were placed or disposed, and
- b. Their condition when placed or disposed.

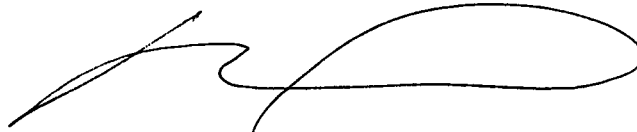
Upon information and belief, Cenac Towing Co., Inc. did not permanently place or dispose of any barges at the site.

14. Identify other individuals and entities that the Respondent has reason to believe may have taken or sent materials to the Site. Of these individuals and entities, specify which were observed by the Respondent at the Site and indicate when those observations were made. Provide all of the information known by the Respondent regarding the customers of these entities or individuals.

Please see documents attached as Exhibit A.

Should you require further information, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'KATHRYN W. RICHARD', with a large, sweeping loop at the end.

KATHRYN W. RICHARD

KWR/lmd  
Enclosures

**CERTIFIED MAIL # 7011 2000 0001 2842 6750**  
**RETURN RECEIPT REQUESTED**

CENAC TOWING COMPANY  
SBA Shipyards

95-0082

SBA SHIPYARDS, INC. PROBABLE SOURCES OF CONTAMINANTS CURRENTLY PRESENT IN TANKS AND PITS			
COMPANY	DATE(S)*	VESSEL NUMBER	PREVIOUS 3 CARGOES
Cenac Towing Company	11/14/88	CTCO 181	#6 Oil, Crude, Condensate
	9/11/90	CTCO 153	Crude Oil
	10/18/91	CTCO 3022	Crude Oil (3x)
	12/19/91	Coastal 29 (Ex Lou III)	No. 6 Oil
	12/31/91	CTCO 154	Slop Oil
	2/7/92	CTCO 2312	Crude Oil (3x)
	2/20/92	HBL 3006	Asphalt (3x)
	4/13/92	CTCO 2303	Crude Oil (3x)
	6/22/92	CTCO 2311	Crude Oil
	8/17/92	HBL 3005	Asphalt #6
	9/4/92	CTCO 1183	Lube Oil
	11/6/92	CTCO 3003	No. 6 Oil
	1/5/93	CTCO 186-20	Crude Oil
	4/5/93	HBL 3007	Heavy Slop Oil
	6/11/93	CTCO 181	Waste Water, Drill Water
	7/15/93	CT 196-20	Crude Distillate
	7/28/93	CT Co. 191-26	Waste Water
	10/15/93	CTCO 3025	Carbon Oil
	10/27/93	CTCO 179	Crude Oil
	3/7/94	CTCO 2003	Condensate, Crude Oil, No. Oil
	5/17/94	CTCO 3025	Carbon Oil, Crude Oil
	8/9/94	CTCO 3022	Crude Oil
	8/16/94	CTCO 1524B	Crude Oil
	8/24/94	CTCO 1526B	Crude Oil 3x
	5/1/95	CTCO 230	Crude Oil (3x)

\* - Based on date from Marine Chemist's Gas Free Certificate



P.O. BOX 3602 BEAUMONT, TEXAS 77704  
(409) 832-5409, 898-4822, 866-4223  
H. B. HATWAY 537 K. L. MERCER 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 5028

Survey Requested by SBA S/V Date 7-28-75  
Vessel C. T. Co. 191-26 Vessel Owner or Agent CENAC  
Type of Vessel TANK BARGE Specific Location of Vessel SBA MEDIAN 7  
Waste Water WASTE WATER Tests Performed OIL/CELL VISUAL Time Survey Complete 12 NOON  
Last Three (3) Cargoes

ALL CARGO TANKS (#1-5 P+S) - WITH AIR VENT. (MIN. 500 CF)  
SAFE FOR WORKERS  
SAFE FOR HOT WORK

FORWARD TANK P+S } SOME OLD COATING  
AFTER TANK P+S } WITH AIR VENT. (MIN. 500 CF)  
SAFE FOR WORKERS  
HAVE FIREWATCH WITH  
CHARRED FIRE HOSE  
SAFE FOR HOT WORK

Cargo Lines } OPEN, WASHED  
DEEP WELL PUMP }

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306, Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Signed Kevin Marshall SBA 7-28-75 Signed W.B. Hatway 537  
Name Company Date Name Company Certificate No.

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS. Response Letter - EXHIBIT A 3

(409) 832-6409, 898-4822, 866-4223  
W.B. HATAWAY 537 K.L. MERCER 577

W.O. 1292

SERIAL NO. F 5079

Survey Requested by  
SBP 54

CENAC TOWING  
Vessel Owner or Agent

Date  
10-15-93

Vessel  
CTCO 3025

TYPE OF VESSEL  
TANK BARGE

Specific Location of Vessel  
SBP/TENNIS

Last Three (3) Cargoes  
CARBON OIL

Tests Performed  
CZ, LEL, VISUAL

Time Survey Complete  
3:00 PM

BOW RAKE - SAFE FOR WORKERS / SAFE FOR HOTWORK

STERN RAKE - SAFE FOR WORKERS

CARGO TANK No. 1 P - SAFE FOR WORKERS / SAFE FOR HOTWORK

CARGO TANK No. 1 S - SAFE FOR WORKERS / SAFE FOR HOTWORK  
\* FIREWATCH WITH CHARGED FIREHOSE REQUIRED  
ON STAND-BY AT WORK SITE.

FORCED AIR VENTILATION REQUIRED. (MIN. 1000 CFM)

CARGO TANKS:

No 2 P/S, 3 P/S, 4 P/S - 0% LEL. NOT SAFE FOR HOTWORK.

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or reissue of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that (b) toxic materials in the atmosphere are within permissible concentrations; and that (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTRY WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOTWORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or fuel oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOTWORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed issued subject to compliance with all qualifications and instructions.

Signed \_\_\_\_\_  
Name

Company

Date

Marine Chemist

Certificate No.

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS.

Cenac Towing Co., Inc.'s EPA Response Letter - EXHIBIT A

CUSTOMER COPY

P.O. BOX 3602 BEAUMONT, TEXAS 77704  
(409) 832-6409, 866-4822, 866-4223  
W.B. Hataway 537 K.L. Mercer 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. E0926

Survey Requested by SBA S.V. Vessel Owner or Agent CENAC Date 2-7-92  
Vessel CTCO 2312 Type of Vessel TANK BARGE Specific Location of Work SBA TANKS  
Last Three (3) Cargoes CRUDE OIL (GX) Tests Performed DE, L.T. VISUAL, TOXIC Time Survey Completed 10:00 A

BOW RAKE } SAFE FOR WORKERS  
STERN RAKE } SAFE FOR HOTWORK

CARGO TANKS

#1-2-3-4-5 P/S - ENTER WITH RESTRICTIONS  
\* FORCED AIR VENTILATION REQUIRED  
SAFE FOR HOTWORK

BENZENE - LESS THAN 1 PPM

H<sub>2</sub>S - NONE DETECTABLE

STEAM COILS - SAFE FOR HOTWORK

CARGO LINES & DECKWALK - WASHED & DRAINED  
VALVES CLOSED.  
NOT SAFE FOR HOTWORK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2).

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection hereon set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed [Signature] Date 2/7/92 Signed [Signature] Certificate No. 57

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS. Response Letter - EXHIBIT 'A'. 5

P.O. BOX 3602 BEAUMONT, TEXAS 77704  
(409) 832-8409, 866-4822, 866-4223  
W.B. Hataway 537 K.L. Mercer 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. E09269

Survey Requested by SBA S.V.

Vessel Owner or Agent Houston Barge Lines

Date 2-20-92

Vessel HBL 3006

Type of Vessel TANK BARGE

Specific Location of Vessel SBA JENNINGS

Last Three (3) Cargoes HEMPHILL (3)

Tests Performed DE. LEL. VISUAL

Time Survey Completed 9:30 AM

## CARGO TANKS

No. 1 P, 2 P

SAFE FOR WORKERS

SAFE FOR HOTWORK

\* HOTWORK LIMITED TO SIDE-BULKHEAD AREA.  
FIREWATCH WITH CHARGED FIREHOS REQUIRED  
ON STAND-BY.

WING VOID No. 3 P

SAFE FOR WORKERS

SAFE FOR HOTWORK

FIREWATCH WITH CHARGED FIREHOS REQUIRED.

FORCED AIR VENTILATION REQD. IN WORK TANK.  
(MIN. 1000 CFM)

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 308 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated, (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or fuel oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

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**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 308 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 308 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed

Paul J. Hataway

Marine Chemist

Date

2-20-92

Certificate No.

577

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

P.O. BOX 3602 BEAUMONT, TEXAS 77704  
(409) 832-6409, 866-4822, 866-4223  
W.B. Hataway 537 K.L. Mercer 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. E09278

Survey Requested by SAT S.V. Vessel Owner or Agent CEMAC Date 4-13-92  
Vessel CITCO 2303 Type of Vessel TANK BARGE Specific Location of Vessel LA  
Last Three (3) Cargoes CRUDE OIL (GX) Tests Performed O2, LEL, Visual Toxic Time Survey Completed 11:45 AM

BOW RAKE / SAFE FOR WORKERS  
STARBOARD RAKE / SAFE FOR HOTWORK

CARGO TANKS  
No. 1-2-3-4-5 P/S - ENTER WITH RESTRICTIONS  
FORCED AIR VENTILATION REQUIRED  
(MIN. 1000 CFM)

SAFE FOR HOTWORK

BENZENE - LESS THAN 1 PPM

H<sub>2</sub>S - NONE DETECTABLE

CARGO LINES - DRAINED - CLOSED

CARGO DECK MANIFOLD LINES - OIL & MUCK  
NOT SAFE FOR HOTWORK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or kerosene tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed [Signature] Date 4/13/92 Signed [Signature] Certificate No. 277

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS Response Letter - EXHIBIT A

P.O. BOX 3602 BEAUMONT, TEXAS 77704  
(409) 832-6409, 866-4822, 866-4223  
W.B. Hataway 537 K.L. Mercer 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. E0921

SBA S/V  
Survey Requested by  
CT Co. 2304  
Vessel  
CRUDE OIL  
Last Three (3) Cargoes  
CENAC  
Vessel Owner or Agent  
TANK BARGE  
Type of Vessel  
OIL / LEL / VISCOS / BENZENE / H<sub>2</sub>S  
Tests Performed  
3-17-9  
Date  
SBA S/V  
Specific Location of  
3:30 P  
Time Survey Com.

ALL CARGO TANKS (#1-5 P&S) - CLEAN, NO DETECTABLE BENZENE  
NO DETECTABLE H<sub>2</sub>S  
WITH AIR VENT. (MIN. 100 CFM)  
ENTER WITH RESTRICTIONS  
4 HRS W/O RESPIRATOR  
SAFE FOR HOT WORK

CARGO LINES & DEEP WELL PUMP - OPEN, DRAINED.

FORWARD & AFTER RACKS - SAFE FOR WORKERS  
SAFE FOR HOT WORK  
AIR VENT. (MIN. 100 CFM)  
REQUIRED.

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed issued subject to compliance with all qualifications and instructions.

Signed [Signature] SBA 3-17-92 Date Signed W.B. Hataway 537 Certificate No.

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS. Response Letter - EXHIBIT A

P.O. BOX 3602 BEAUMONT, TEXAS 77704  
(409) 832-6409, 898-4822, 866-4223  
W.B. HATWAY 537 K.L. MERCER 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 23633

Survey Requested by SBA S.V. Vessel Owner or Agent SENAC Date 8-17-92  
Vessel HBL 3005 Type of Vessel TANK BARGE Specific Location of Vessel SBA/JENNINGS, L  
Last Three (3) Cargoes Asphalt, #6 Tests Performed O2, LEL, Visual Time Survey Completed 1:30 PM

BOW RAKE / SAFE FOR WORKERS  
STARBOARD RAKE / SAFE FOR HOTWORK

WING VOIDS

No. 1-2-3-4-5 P/S - SAFE FOR WORKERS / SAFE FOR HOTWORK

CARGO TANKS No. 1 P/S - SAFE FOR WORKERS / SAFE FOR HOTWORK

CARGO TANKS:

No. 2-3-4 P/S - SAFE FOR WORKERS / SAFE FOR HOTWORK

\* FIREWATCH WITH CHARGED

FIRE HOSE REQUIRED ON STAND-BY.

FORCED AIR VENTILATION REQUIRED IN WARE TANK.  
(MIN. 1000 CFM)

FORWARD DIESEL TANKS

P/S

SAFE FOR HOTWORK.

STEAM COILS - SAFE FOR HOTWORK.

CARGO LINES & DEERWELL - WASHED & DRAINED.

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed apparatuses shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 308 Subsections 2-3.1 through 2-3.6, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit; or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 308 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed R. Bough Company SBA Date 8/17/92 Signature John H. Mercer Certificate No. 577

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS. Response Letter - EXHIBIT A

U.S. COA 3002 BEAUMONT, TEXAS 77704  
(409) 832-6409, 898-4822, 866-4223  
W.B. HATAWAY 537 K.L. HERCER 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 24035

Survey Requested by SBA 5/4 Date 5-22-92  
Vessel C.T. CO. 2311 Vessel Owner or Agent CENAC  
Type of Vessel TANK BARGE Specific Location of Vessel SBA 5/4, MICHIGAN  
Cargo CRUDE OIL Tests Performed O<sub>2</sub> / LEL / VISUAL / BENZENE / H<sub>2</sub>S Time Survey Completed 1:30 PM  
Last Three (3) Cargoes

ALL CARGO TANKS (1-5 PHS) - CLEAN, NO DETECTABLE H<sub>2</sub>S

LESS THAN 2 PPM BENZENE

WITH AIR VENT. (MIN. 500 CFM)

ENTER WITH RESTRICTIONS

2 HRS W/O RESPIRATOR

SAFE FOR HOT WORK

HEATING COILS

AIR BLOWN, SAFE FOR HOT WORK

CARGO LINES & DEEPWELL PUMP - OPENED, WASHED,

SAFE FOR HOT WORK

WITH AIR ON LINES

FORWARD & AFTER RACKS

SAFE FOR WORKERS

SAFE FOR HOT WORK

WITH AIR VENT. (MIN. 500 CFM)

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or fuel oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

I, the undersigned, acknowledge receipt of this Certificate under Section 2-4 of NFPA 306 and its contents and conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Witnessed by W.B. Hataway 537 Date 5-22-92 Signed W.B. Hataway 537  
Name W.B. Hataway 537 Company CENAC Title Marine Chemist Certificate No. 24035

**NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS**

Cenac Towing Co., Inc.'s EPA Response Letter - EXHIBIT A



P.O. BOX 5802 BEAUMONT, TEXAS 77604  
(409) 832-6409, 898-4822, 866-4223  
W.B. HATAWAY 537 K.E. MERCER 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 50821

Survey Requested by  
CBA S.V.

Vessel Owner or Agent  
CBA S.V.

Date  
10-27-93

Vessel  
CYCO 178

Type of Vessel  
TANK BARGE

Specific Location of Vessel  
SBA/ANNAPOLIS

Last Three (3) Cargoes  
CRUDE OIL

Tests Performed  
ON LEL VISUAL TOXIC

Time Survey Completed  
1:30 PM

BOW RAKE UIDS P/S / SAFE FOR WORKERS  
STERN RAKE UIDS P/S / SAFE FOR HOTWORK

CARGO TANKS:  
No. 1-2-3-4-5 P/S - SAFE FOR WORKERS  
SAFE FOR HOTWORK

FORCED AIR VENTILATION REQUIRED (MIN. 1000 CFM)

BENZENE - LESS THAN 0.5 ppm  
HUS - 0 ppm

STEAM COILS - SAFE FOR HOTWORK.

CARGO LINES & DRAINAGE - WASHED, DRAINED  
VALVES CLOSED.

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

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**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Signed: [Signature] Date: 10/27/93

Signed: [Signature] Certificate No. 577

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS. Response Letter - EXHIBIT A 11

(409) 832-6409, 898-4822, 860-4220  
W.B. HATAWAY 537 K.L. MERCER 517

Wb. 1280

SERIAL NO. F 5022

SEA 5/4  
Survey Requested by  
CT Co. 181  
Vessel  
WASTE WATER  
Last Three (3) Cargoes

CENAC  
Vessel Owner or Agent  
TANK BARGE  
Type of Vessel  
Office/Visual  
Tests Performed

6-16-93  
Date  
SEA 5/4  
Specific Location of V  
9:30 AM  
Time Survey Comm

ALL CARGO TANKS (#1-4 P+S) CLEAN

WITH AIR VENT. (MIN. 500 CFM)

SAFE FOR WORKERS

SAFE FOR HOT WORK

FORWARD + AFTER RAKES WITH AIR VENT. (MIN. 500 CFM)

SAFE FOR WORKERS

SAFE FOR HOT WORK

CARGO LINES

WITH AIR ON LINES

SAFE FOR HOT WORK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

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**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

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**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was complete issued subject to compliance with all qualifications and instructions.

Signed W.B. Hatway  
Name Date

Signed W.B. Hatway  
Marine Chemist Certificate No.

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

Cenac Towing Co., Inc.'s EPA Response Letter - EXHIBIT A

CUSTOMER COPY

MARINE CHEMIST, INC. OF TEXAS  
P.O. BOX 3602 BEAUMONT, TEXAS 77704  
(409) 832-6409, 898-4822, 866-442-2222  
J.B. HATAWAY 537 E.L. MERCER 577

MARINE CHEMIST CERTIFICATE  
SERIAL NO. F 50203

Survey Requested by SBA 3/4  
CT Co. 181  
Date 6-11-73  
Vessel Owner or Agent CENAC  
Type of Vessel TANK BARGE  
Specific Location of Vessel SBA 3/4  
WASTE WATER DRILL WATER O2/LEC/VISUAL/TOXIC  
Tests Performed 11:30 AM  
Time Survey Completed

CARGO TANKS #2 PTS, #3 PTS ENTER WITH RESTRICTIONS  
W/ AIR VENT. & FRESH AIR MASK  
WITH NO EXPOSED SKIN  
SAFE FOR HOT WORK  
AIR VENT. (MIN. 500 CFM)  
REQUIRED

CARGO TANKS #1 PTS #4 PTS WITH AIR VENT. (MIN. 500 CFM)  
FORWARD & AFTER TANKS #1'S SAFE FOR WORKERS  
SAFE FOR HOT WORK

CARGO LINES OPEN WITH AIR ON LINES  
DEEP WELL PUMP SAFE FOR HOT WORK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, draft in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

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**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, & time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spa or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintain as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleared sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards. Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was issued subject to compliance with all qualifications and instructions.

Signed [Signature] SBA 6-11-73 CENAC  
Date  
This Certificate is based on conditions existing at the time the inspection herein set forth was issued subject to compliance with all qualifications and instructions.

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

(409) 832-6409, 898-4822, 865-4223  
W.B. HATAWAY 537 K.L. MERCER 577

MARINE CHEMIST CERTIFICATE

SERIAL NO. F 50596

Survey Requested by SBA S.V. Date 6-1-93  
Vessel CTCD 181 Vessel Owner or Agent CHINAC  
Type of Vessel TANK BARGE Specific Location of Vessel SBA/REININGS  
Last Three (3) Cargoes LAY-UP Tests Performed Q, L, V, VISUAL Time Survey Completed 8:30 AM

BOW RAKE VOIDS P/S SAFE FOR WORKERS  
STERN RAKE VOIDS P/S SAFE FOR WORKERS

CARGO TANKS

No. 1-2-3-4 P/S SAFE FOR WORKERS

LIMITED TO SURVEY INSPECTION.

\* FORCED AIR VENTILATION

REQUIRED IN No. 4 P/S

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** [partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2]

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection report set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed Charles L. Kilburn SBA Shipyard, Inc. 6/1/93 Charles L. Kilburn Marine Chemist Certificate No. 577

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

**SERIAL NO. F 24035**

(409) 832-6409, 898-4822, 866-4223  
W.B. HATAWAY 537 K.L. MERCER 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 23645

Survey Requested by  
**SRA S.V.**

Vessel Owner or Agent  
**CENAC**

Date  
**9-4-92**

Vessel  
**CTCO 1183**

Type of Vessel  
**TANK BARGE**

Specific Location of Vessel  
**SIBA**

Load Three (3) Cargoes  
**LUBE OIL**

Tests Performed  
**Oil, LEL, VISUAL**

Time Survey Complete  
**10:00 AM**

**BOW RAKE VOIDS P/S**

**SAFE FOR WORKERS**

**STERN RAKE VOIDS P/S**

**SAFE FOR HOTWORK**

**CARGO TANKS:**

**No. 1-2-3-4 P/S**

**SAFE FOR WORKERS**

**SAFE FOR HOTWORK**

**CENTER LINE CATERDOCK**

**FORCED AIR VENTILATION REQUIRED IN WORK TANK**

**(MIN. 1000 CFM)**

**CARGO LINES - WASHED, DRAINED, VALVES CLOSED**

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appliances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

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**NOT SAFE FOR HOTWORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued."

"This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions."

Signed: *[Signature]* SRA 9/4/92 Signed: *[Signature]* Marine Chemist  
Name: \_\_\_\_\_ Date: \_\_\_\_\_ Certificate No.: \_\_\_\_\_

**NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS**

(409) 832-6409, 898-4822, 866-4223  
W.B. HATWAY 537 K.L. MERCER 577 W.D. 1262

SERIAL NO. F 24336

Survey Requested by SBA SHIPYARD  
Vessel CTCL 3003  
Last Three (3) Cargoes NO. 6 OIL  
Vessel Owner or Agent CENAC  
Type of Vessel TANK BARGE  
Tests Performed O<sub>2</sub> / LEL / VISUAL  
Date 11-6-92  
Specific Location of Vessel SBA MCINTOSH  
Time Survey Complete 1:45 PM

CARGO TANKS #1-4 PHS - GENERALLY CLEAN, FEW AREAS

OFFENSIVE,

WITH AIR VENT (MIN 500 CFM)

SAFE FOR WORKERS

HAVE FIREWATCH WITH CHARGED

FIREHOSE, TAPEN

SAFE FOR HOT WORK

FORWARD & AFTER TANKS

SAFE FOR WORKERS

WING TANKS #1-5 PHS

SAFE FOR HOT WORK

CARGO LINER

OPENLY FLASHING

DEEPWATER PUMP

STEAM COILS

AIR BLOWN

SAFE FOR HOT WORK

PHS DECK FUEL TANKS - SAFE FOR HOT WORK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

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**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit; or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed W.B. Hatway Date 11-6-92 Signed W.B. Hatway Date 11-6-92  
Name Company Marine Chemist Certificate No.

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

Cenac Towing Co., Inc.'s EPA Response Letter - EXHIBIT A. 17

CUSTOMER COPY

409) 832-6409, 898-4822, 866-4223  
B. HATAWAY 537 K.L. MERCER 577

MARINE CHEMIST CERTIFICATE

P.O. 2736

SERIAL NO. F 83673

Requested by LEE VAC S/Y Vessel Owner or Agent CENAR Date 3-7-94  
C.T.C.O. 2003 TANK BARGE SBA S/Y  
Type of Vessel  
Condensate, Crude Oil, No. 6 Oil, Liquefied Gas, or Toxic  
Specific Location of Vessel  
10:30 AM  
Time Survey Completed

OK TO SHIP BARGE WITHIN SHIPYARD

CARGO TANKS #1-4 P&S — GENERALLY CLEAN

NO DETECTABLE H<sub>2</sub>S

LESS THAN 0.5 PPM BENZENE

WITH AIR VENT. (MIN. 500 CFM)

SAFE FOR WORKERS

SAFE FOR HOT WORK

CARGO LINES

AIR BLOWN

DEEP WELL PUMP

WITH AIR ON LINES

STEAM COILS

SAFE FOR HOT WORK

DECK HOLDING TANKS P&S — WITH AIR VENT. (MIN. 500 CFM)

SAFE FOR WORKERS

SAFE FOR HOT WORK

FORWARDED # AFTER RAKES — SOME OLD COATING

WITH AIR VENT. (MIN. 500 CFM)

SAFE FOR WORKERS

SAFE FOR HOT WORK

FIREWATCH REQUIRED

CHEMIST ON STANDBY ONE EXTRA HOUR

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or issuance of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 308 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTRY WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted; or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit; or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 308 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

I, undersigned, acknowledge receipt of this Certificate under Section 2-4 of NFPA 308 and understand conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

med. Wagner Leevac 3-7-94 Signed W. B. Hataway #537  
Name Date Company  
NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS. Response Letter EXHIBIT A



P.O. BOX 3602 BEAUMONT, TEXAS 77704  
(409) 832-6409, 898-4822, 866-4223  
W.B. HATAWAY 537 R.L. MERCER 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 83788

Survey Requested by  
SBAS/1

W.O. 1311  
CCNAC

5-17-94  
Date

CT 3025

Vessel Owner or Agent  
TANK BARGE

SBAS/1

Vessel  
CARBON OIL, CRUDE OIL

Type of Vessel  
O<sub>2</sub> / CEL / VICAL / TOXIC

Specific Location of Vess  
3:00 PM

Last Three (3) Cargoes

Tests Performed

Time Survey Completed

ALL CARGO TANKS (#1-4 TANKS) - CLEAN, LESS THAN 0.5 PPM BENZENE

WITH AIR VENT. (MIN. 500 CFM)

SAFE FOR WORKERS

SAFE FOR HOT WORK

CARGO LINES

OPEN, WASHED AIR BLOWN

DEEP WELL PUMP

SAFE FOR HOT WORK

WITH AIR ON LINES.

STEAM COILS

AIR BLOWN

SAFE FOR HOT WORK

FORWARD TANK

SAFE FOR WORKERS

SAFE FOR HOT WORK

MOTOR TANK

SOME WATER

SAFE FOR WORKERS

SAFE FOR HOT WORK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or reissue of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

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**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed *David J. Marshall*  
Name

SBAS 5-17-94  
Date

Signed *W.B. Hataway*  
Marine Chemist

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS - Response Letter - EXHIBIT A 19

SAYBOLT INC.



LOAD PORT/DISPORT LOCATION: JENNINGS, LA  
TERMINAL: SBA SHIPYARD  
CARGO:

TANK INSPECTION REPORT

VESSEL: CTCO-3025  
DATE: 5-17-94

ICE:

VESSEL DATA

Tank History submitted by SBA SHIPYARD

Tank cleaning method said to be DIFFUSION WASH @ 150°  
HOT WATER; SCRAPPED - EACH TANK STEAMED 2 HRS;  
WATER RINSE, STRIPPED AND DRYED

Cargo to be loaded designated by customer as:

DIESEL

Previous Cargos: Last \_\_\_\_\_

2nd Last \_\_\_\_\_

3rd Last \_\_\_\_\_

Information obtained from vessel's officers or vessel's logs cannot be guaranteed accurate by E. W. Saybolt & Co., Inc., and therefore no liability can be assumed for errors resulting from improper information supplied.

The responsibility for improper information must remain with the vessel and her officers.

This report, of necessity, is based on such information.

To minimize any contamination that could be caused by vessel's pipelines or conditions that cannot be checked by visual examination it is recommended that "first-ins" samples are checked.

If any vessel's tanks are coated, this statement of opinion covers only the cleanliness of the coating and offers no judgment regarding the suitability of the coating to protect or damage the cargo.

INSPECTION RESULTS

Date 5-17-94 Time 1500

Location SBA SHIPYARD GAS FREE DOCK

On the above date, we complied with your order and visually inspected the following vessel tanks:

1-2-3-4 PORT & STBD

At the time of inspection, through visual means and submitted information, said tanks were found, in our opinion, (to be) (not to be) substantially clean for receipt of cargo designated by customer as

DIESEL

Above mentioned tanks are subject to final inspection prior to loading.

REMARKS:

TANK LINES WERE STRIPPED WASHED AND  
FLUSHED. VISUAL INSPECTION MADE @  
HEADER FLANGES

C. D. D.  
SAYBOLT

SAYBOLT INC.



OFFICE:

LOAD PORT/DISPORT LOCATION: JENNINGS, LA  
TERMINAL: SBA SHIPYARD  
CARGO:

TANK INSPECTION REPORT

VESSEL: CTCO-3025  
DATE: 5-17-94

VESSEL DATA

Tank History submitted by SBA SHIPYARD

Tank cleaning method said to be DISCONTINUED WASH @ 150°  
HOT WATER; SCRAPPED; EACH TANK STEAMED 3 HRS;  
WATER RINSE, STRIPPED AND DRYED

Cargo to be loaded designated by customer as:

DIESEL

Previous Cargos: Last

2nd Last

3rd Last

Information obtained from vessel's officers or vessel's logs cannot be guaranteed accurate by E. W. Saybolt & Co., Inc., and therefore no liability can be assumed for errors resulting from improper information supplied.

The responsibility for improper information must remain with the vessel and her officers.

This report, of necessity, is based on such information.

To minimize any contamination that could be caused by vessel's pipelines or conditions that cannot be checked by visual examination it is recommended that "first-ins" samples are checked.

If any vessel's tanks are coated, this statement of opinion covers only the cleanliness of the coating and offers no judgment regarding the suitability of the coating to protect or damage the cargo.

INSPECTION RESULTS

Date 5-17-94 Time 1500

Location SBA SHIPYARD GAS FREE DOCK

On the above date, we complied with your order and visually inspected the following vessel tanks:

1-2-3-4 PORT & STBD

At the time of inspection, through visual means and submitted information, said tanks were found, in our opinion, (to be) (not to be) substantially clean for receipt of cargo designated by customer as

DIESEL

Above mentioned tanks are subject to final inspection prior to loading.

REMARKS:

TANK LINES WERE STRIPPED WASHED AND  
FLUSHED. VISUAL INSPECTION MADE @  
HEADER FLANGES

C. Dan

SAYBOLT

U. BOX 3002 BEAUMONT, TEXAS 77704  
409) 832-6409, 898-4822, 866-4223  
B. HATWAY 537 K.L. MERCER 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 77183

W.O.# 1327

SBR  
Vessel Requested by

ICD 1524B

RUDE OIL  
Three (3) Cargoes

CANAL  
Vessel Owner or Agent

TANK BARGE

Type of Vessel

OZ. L.L. VISION, TAIL

Tests Performed

8-16-84

Date

SBR/JENNINGS

Specific Location of Vessel

8:30 AM

Time Survey Completed

BOW RAKE

STERN RAKE

ARGO TANKS:

No. 1-2-3 ports/stops

FORCED AIR VENTILATION REQUIRED  
IN WORK TANK (MIN. 1000 CFM)

BENZENE - LESS THAN 0.5 PPM

H<sub>2</sub>S - 0 PPM

ARGO LINES & DEWEWELL - WASHED & DRAINED  
VALVES CLOSED.

DECK STOP TANK - SAFE FOR HOTWORK

LOCAL SHUTTING WITH-IN YARD - OK.

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

undersigned acknowledges receipt of this Certificate under Section 2-8 of NFPA 306 and its conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Canalyn L. Kilbourn  
Name  
Company  
John Shipyard 8/16/84  
Signature  
Marine Chemist  
577  
Response Letter - EXHIBIT A

NOTE: THIS CERTIFICATE IS VALID ONLY FOR MARINE VESSELS

P.O. BOX 2602 BEAUMONT, TEXAS 77704  
(409) 832-6409, 898-4022, 866-4223  
W.B. HATAWAY 537 K.L. MERCER 577

**MARINE CHEMIST CERTIFICATE**  
665-310-00  
**SERIAL NO. F 77156**

Survey Requested by	Vessel Owner or Agent	Date
Vessel	Type of Vessel	Specific Location of Vessel
Last Three (3) Cargoes	Tests Performed	Time Survey Completed

ALL TESTS WERE PERFORMED IN ACCORDANCE WITH THE  
NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 306  
SUBSECTION 2-3.1 THROUGH 2-3.5, AND SUBSECTION 6-3.2  
AND THE MARINE CHEMIST'S CERTIFICATE.  
SAFE FOR WORKERS.  
SAFE FOR HOT WORK.  
SAFE FOR REPAIR YARD ENTRY.  
CHEMIST'S ENDORSEMENT.

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or reissue of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTRY WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bldgs, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Signed \_\_\_\_\_ Date \_\_\_\_\_ Signed \_\_\_\_\_  
Name \_\_\_\_\_ Company \_\_\_\_\_ Marine Chemist \_\_\_\_\_ Certificate No. \_\_\_\_\_

**NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS.** Response Letter - EXHIBIT A

P.O. BOX 5601 BEAUMONT, TEXAS 77704  
(409) 832-6409, 898-4822, 866-4223  
W.B. HATAWAY 537 K.L. MERCER 577

**MARINE CHEMIST CERTIFICATE**  
**SERIAL NO. F 77611**

Survey Requested by SEB Vessel Owner or Agent SEB Date 8-21-91  
Vessel CTC 1530 B Type of Vessel TANK BARGE Specific Location of Vessel SEA  
Last Three (3) Cargoes CRUDE OIL Tests Performed CELL VENTIL, TOXIC Time Survey Completed 2:45 PM

BOW RAKE / SAFE FOR WORKERS  
STERN RAKE / SAFE FOR HOTWORK

CARGO TANKS:

NO 1-2-3 PORT/STAR / SAFE FOR WORKERS  
SAFE FOR HOTWORK

BENZENE - LESS THAN 0.5 ppm  
H<sub>2</sub>S - 0 ppm

FORCED AIR VENTILATION REQUIRED IN WORK TANK.

DECK LAGO TANK — SAFE FOR HOTWORK

DECK DISTAL TANK — NOT SAFE FOR HOTWORK

CARGO LINES? DEADWELL - WASHED & BLOWN WITH AIR

THIS VESSEL IS APPROVED FOR LOCAL SHIFTING  
WITH-IN SHIPYARD.

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOTWORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOTWORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed \_\_\_\_\_ Date \_\_\_\_\_ Marine Chemist \_\_\_\_\_ Certificate No. \_\_\_\_\_

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS. Response Letter- EXHIBIT A 24

P.O. BOX 3002 DEAMONT, TEXAS 77704  
409) 832-6409 W.B. HATWAY 537  
C.L. MERCER 577 PAUL WEBSTER 675

MARINE CHEMIST CERTIFICATE  
P.O. # 1353 SERIAL NO. G 31583  
C.O.T. 200

SBA SHIPYARDS, INC.

CENAC TOWING CO.

5-01-95

Survey Requested by

Vessel Owner or Agent

Date

CTED-230

TENK BARGE

SBA, TANNING LA

Vessel

Type of Vessel

Specific Location of Vessel

CRUDE OIL (N3)

O<sub>2</sub>, LEL, VISUAL, TOXICITY

0945

Last Three (3) Cargoes

Tests Performed

Time Survey Completed

BOW RAKE VOID

2-TANKS 20.8% O<sub>2</sub>, 0% LEL

STERN RAKE VOID

SAFE FOR WORKERS - SAFE FOR HOT-WORK

MAINTAIN FORCED-AIR VENTILATION (MIN 500CFM)

CARGO TANKS

20.8% O<sub>2</sub>, 0% LEL, <0.5ppm BENEANE

NO. 1-2-4 PORT SIDE

SAFE FOR WORKERS

SAFE FOR HOT-WORK

3-5 SIDE

MAINT. FORCED-AIR VENT. (MIN 500CFM)

CARGO TANKS NO. 3-5 PORT

20.8% O<sub>2</sub>, 0% LEL, <0.5ppm BENEANE

SOME GREASY AREAS.

SAFE FOR WORKERS - SAFE FOR HOT-WORK

MAINT. FORCED-AIR VENT. (MIN 500CFM)

FIRE-WATCH WITH CHARGED FIRE HOSE REQUIRED.

CARGO LINES

WASHED; DRAINED. VALVES CLOSED AND SECURED

DEEPWELL

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Movement of vessels from original location, transfer of ballast, or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted; or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit; or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

I, undersigned, acknowledge receipt of this Certificate under Section 2-6 of NFPA 306 and its standards conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

1700 Name Paul M. Webster Company SBA

SBA

501-95

Signed

Paul M. Webster

Marine Chemist

Certificate No. 675

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

Response Letter EXHIBIT A  
Printed in U.S.A.

(409) 832-6409, 898-4822, 856-4223  
P.B. HATAWAY 537 E.L. MERCER 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 24451

Survey Requested by: SBO'S  
Vessel: C.T. Co. 186-20  
Type of Vessel: TANK BARGE  
Cargo: CRUDE OIL  
Date: 1-5-95  
Specific Location of Vessel: SEA MICHIGAN  
Time Survey Complete: 10:30A  
Tests Performed: OIL / VISUAL / H.S. / BENZENE

ALL CARGO TANKS (#1-5 P&S) - GENERALLY CLEAN  
NO DETECTABLE H.S.  
NO DETECTABLE BENZENE  
NO DETECTABLE SULFUR  
NO DETECTABLE AMMONIA  
SAFE FOR HOT WORK

CARGO LINES + DEAD END PUMP - MR. BROWN WITH AIR ON LINES  
SAFE FOR HOT WORK

FORWARD TANK P&S SAFE FOR WORKERS  
AFTER TANK P&S SAFE FOR HOT WORK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of custody or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate by the Marine Chemist. All lines, vents, heating coils, valves, and electrical and closed equipment shall be considered "hot work" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS:** Designated by NFPA 308 Subsection 2.1 through 2.5, and Subsection 6.1.2.

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that (b) toxic materials are not present in concentrations that could be harmful to workers; and that (c) the materials are not capable of producing toxic fumes or vapors under existing atmospheric conditions while maintained as designated on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only with the use of proper protective equipment, clothing, and eye and respiratory protection.

**SAFE FOR HOT WORK:** Means that in the compartment or space so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces; (b) the atmosphere is not capable of producing a higher concentration than permitted by (c) above under existing atmospheric conditions in the presence of fire, and while maintained as designated on the Marine Chemist's Certificate; and further, that (d) all spaces containing or having contained flammable or combustible materials have been cleaned in accordance with the Marine Chemist's procedures.

**NOT SAFE FOR HOT WORK:** Means that in the compartment or space so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit; or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 308 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

I, the undersigned, acknowledge receipt of this Certificate under Subsection 2.5 of NFPA 308 and certify that this Certificate is based on conditions existing at the time the inspection report was completed and is not to be used for any other purpose.



P.O. BOX 3002 BEAUMONT, TEXAS 77704  
(409) 832-6409, 832-6022, 832-4223  
H.B. HATHAWAY 537 S.L. MERCER ST.

# MARINE CHEMIST CERTIFICATE

SERIAL NO. F 23991

Survey Requested by: SAF S.V.  
Vessel: VAL 3007 / CRO / 100  
Type of Vessel: TANK BARGE  
Cargo: Heavy Slop Oil  
Date: 11-5-93  
Specific Location of Vessel: Off Port of Houston, Texas  
Time Survey Complete: 11:00 AM

Boat Deck  
Below Deck  
Work Area No 3 P - SAFE FOR WORKERS - SAFE FOR HOTWORK  
Flammable Gas Checked For Hotwork (Required)  
Cargo Tanks No 1-2-3-4 P/S - SAFE FOR WORKERS  
SAFE FOR HOTWORK  
Flush Down Line in No 4 P - NOT SAFE FOR HOTWORK  
Flush Down Lines in 1P, 2P, 3P, 4P, 5P  
Steam Bins in 1P, 2P, 3P, 4P  
Cargo Lines - SAFE FOR HOTWORK  
\* AIR REQUIRED BLOWING TANK LINES

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, tanks, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (paraphrased from NFPA 308 Subsections 2.3.1 through 2.4.5 and Subsection 6.3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that (b) toxic materials in the atmosphere are within permissible concentrations; and that (c) the surfaces are not capable of producing toxic materials under existing atmospheric conditions while maintained as required by the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that (a) the compartments or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry to work may be made only in accordance with proper protective equipment, clothing, and time as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that (c) the surfaces are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as required by the Marine Chemist's Certificate; and further, that (d) all adjacent spaces containing or having contacted flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily covered, in the case of tanks or tube or tanks, or engine room or fire room bays, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable, cryogenic, liquid carrier so designated: (a) have been tested by sampling and analysis, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 308 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 3-4 of NFPA 308, and that the conditions and limitations under which it was issued.

This Certificate is based on conditions existing at the time the inspection report was completed and is subject to change in accordance with all qualifications and instructions.

2086 11/5/93 Smith

**NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS** Response Letter: EXHIBIT A 27  
Printed in U.S.A.

Survey Performed by

451 31

1000

4400

1992

CENAC

**Vehicle Owner or Agent**

天

Index of Vessels

11/11/11

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1944 Foreign Trade

2-5-93



1945

**Specific Location**

11-197

Time Survey 1

\_\_\_\_\_

12-0-2156

Low 2000

## Wing Joints

16125 2P5 35

1/2 5 5 2/5

Wm. K. 30. [unclear] [unclear] [unclear]

5. *Explain the importance of the following factors in the development of a country's economy:*

*[Handwritten signature]*

LARGE LINES AS 1-2-3-4 1/3 - SAME FOR WORKERS

ELISHA DAWN LVE IN N. H.P. - Not Safe For HONORA.

FLUSH DOWN LINE 3 IN 1P/3, 2P/3, 3P/3, 4/5      Saw for Howden

From 1945 to 1947 30% 30% 40%

1941-1942

WAK. CO. LINES. TAKE FOR NOTWORK

Dear Sir: all THREE (3) CORES FOR 12.5.2008

20M-2.86

Cenac Towing Co., Inc.'s EPA Response Letter - EXHIBIT A 28

TO : SBA SHIPYARD / MR SMITHALL  
 FAX # 318-824-8330

FROM : KEN MERCER  
 (409) 866-4223

RE : Copy of MARINE CHEMIST CERT.

TOTAL PAGES (2) INCLUDES COVER SHEET

Survey Requested by <u>CT 194-2</u>	Vessel Owner or Agent <u>7-11-11-11-11</u>	Date <u>7/15/93</u>
Vessel <u>CLARK 1112 1112 1112</u>	Type of Vessel <u>Oil Tanker</u>	Specific Location of Vessel <u>3:15 PM</u>
Last Three (3) Cargoes <u>CLARK 1112 1112 1112</u>	Tests Performed <u>Oil Tanker</u>	Time Survey Completed <u>3:15 PM</u>

BOW RAKE / SAFE FOR WORKERS  
STEERN RAKE / SAFE FOR HOTWORK

CARGO TANKS:  
No. 1-2-3-4-5 P/S - SAFE FOR WORKERS  
SAFE FOR HOTWORK

FORCED AIR VENTILATION REQUIRED (MIN. 100 CFM)

BENEFIT - LESS THAN 0.5 PPM

STEAM LINES - SAFE FOR HOTWORK

CARGO LINES & DEEPWELL - WASHED & DRAINAGE  
VALVES CLOSED

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and issued subject to compliance with all qualifications and instructions.

Signed [Signature] Date 7/15/93 Signed [Signature] Certificate No. 572

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

(409) 634-6409, 866-4822, 866-4223  
W.B. Hataway, 537 K.L. Mercer 577

W.O.# 1222

SERIAL NO. E0924

Survey Requested by  
SEA S-V

Vessel Owner or Agent  
CENAC

Date  
10-18-91

Vessel  
CT CO 3022

Type of Vessel  
TANK BARGE

Specific Location of Ve  
SEA/TEXAS

Last Three (3) Cargoes  
CRUDE OIL (3X)

Tests Performed  
OIL, LEAK, VISUAL, TOXIC

Time Survey Compl  
2:00 PM

BOW RAKE / SAFE FOR WORKERS  
STERN RAKE / SAFE FOR HOTWORK

CARGO TANKS

No. 1-2-3-4-5 P/S - ENTER WITH RESTRICTIONS  
FORCED AIR VENTILATION REQUIRED

(VACUUM CLEAN)

SAFE FOR HOTWORK

BENZENE - LESS THAN 1 PPM - H<sub>2</sub>S - NONE DETECTABLE

CARGO LINES & DISPERWELL - WASHED & DRAINED

DECK STEP TANK - O<sub>2</sub> L<sub>2</sub> - WASHED & STRIPPED

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe, lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 308 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on this Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted; or, in the case of fuel tanks or tube oil tanks, or engine room or life room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT.** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 308 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-4 of NFPA 308 and

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and issued subject to compliance with all regulations and instructions.

Signed: [Signature]  
Name: [Name]  
Date: 10/18/91

Signed: [Signature]  
Name: [Name]  
Date: 10/18/91

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

1001 BOX 3002 BERGTON, TEXAS 77704  
(409) 832-6409, 866-4822, 866-4223  
W.B. Hataway 537 K.L. Mercer 577

# MARINE CHEMIST CERTIFICATE

SERIAL NO. E091977

Survey Requested by SBA 2/y Date 12-19-91  
Vessel CONSTAL 29 (EX LOU 111) Vessel Owner or Agent CENAC  
Type of Vessel TANK BARGE Specific Location of Vessel SBA MERMEN TAY  
No. of Oil No. 6 OIL Tests Performed OFFICIAL VISUAL Time Survey Completed 10:00 AM  
Last Three (3) Cargoes \_\_\_\_\_

ALL CARGO TANKS (\*1-G.P.T.S.) - SAFE FOR WORKERS

SAFE FOR HOT WORKERS

AIR VENT (MIN. 100 CFM)

REQUIRED

FORWARD HATCHES - SAFE FOR WORKERS

SAFE FOR HOT WORK

AIR VENT (MIN. 100 CFM)

REQUIRED

CARGO LINES

OPEN, DRAINED

DEEP WELL PUMPS (2) -

HEATING COILS

AIR BLOWN

SAFE FOR HOT WORK

WITH AIR ON COILS

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or reissue of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.6, and Subsection 6-3.2):

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 18.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or tube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable or oxygenic liquid carrier so designated: (a) have been tested by sampling at approved sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

This undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306, and that this Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Signed W.B. Hataway Date 12-19-91 Signed W.B. Hataway Date 12-19-91  
Name W.B. Hataway Company SBA Title Marine Chemist Certificate 537

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS.

CUSTOMER COPY

Printed in U.S.A.



P.O. BOX 3002 BEAUMONT, TEXAS 77704  
(409) 832-6409, 866-4822, 866-4223  
K. B. HATAWAY 537 K. L. MEROER 577

MARINE CHEMIST CERTIFICATE

SERIAL NO. E 55271

285 9-11-90

Survey Requested by  
SBA 5/4

Vessel Owner or Agent  
CENAC

Date

Vessel  
T Co. 153

Type of Vessel  
TANK BARGE

Specific Location of Vessel  
SBA MORTON 7

Last Three (3) Cargoes  
Crude Oil

Tests Performed  
O2/LEL/VISUAL/REVENGE/H2S

Time Survey Completed  
3:00P

ALL CARGO TANKS (1-3 P4S) - CLEAN, NO DETECTABLE H<sub>2</sub>S  
LESS THAN 2DDM BENZENE  
WITHIN 1/2 INCH (MIN) SOURCE  
OF ALL VENTS, PIPES, TANKS  
AND ALL OTHER EQUIPMENT  
SAFE FOR HOT WORK

FORWARDED & AFTER RAKES - SAFE FOR WORKERS  
SAFE FOR HOT WORK  
FIRE-ARMED (2-1/2 INCH (MIN) SOURCE)  
REQUIRED FOR WORKERS

Call 611

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

**QUALIFICATIONS:** Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the space so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

**STANDARD SAFETY DESIGNATIONS** (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2):

**SAFE FOR WORKERS:** Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that (b) toxic materials in the atmosphere are within permissible concentrations; and that (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

**ENTER WITH RESTRICTIONS:** Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

**SAFE FOR HOT WORK:** Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned thoroughly to prevent the spread of fire, or are satisfactorily tested, or, in the case of fuel tanks or fuel oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

**NOT SAFE FOR HOT WORK:** Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at points sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

The undersigned acknowledges receipt of this Certificate under Section 2-6 of NFPA 306 and is issued subject to compliance with all qualifications and instructions.

Signed: Russ Marshall SBA 9-11-90 Date: 9-11-90 Signed: W.B. Hataway Marine Chemist

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

Cenac Towing Co., Inc. S.E.P.A. Response Letter - EXHIBIT A

P. O. BOX 15622 BEAUMONT, TEXAS 77704  
(409) 832-4099, 366-4822, 866-4223  
W. B. HATAWAY 537 K. E. MERCER 577

SERIAL NO. D 10418

SBP S.V.

CONC. MARINE

11-14-85

Survey Requested by

CITC 181

TAKE FERRIS

SBP / JENNINGS 2A

Vessel

#6 ON CRUDE CONDENSATE OIL TANK - BENTON 12:15 PM

Last Three (3) Cargoes

Time Survey Completed

Bowl RAKE / SAFE FOR WORKERS  
STERN RAKE / SAFE FOR WORKERS

CARGO TANKS

No. 1-2-3-4 P/S - SAFE FOR WORKERS

- ENTER WITH RESTRICTIONS -

HAVE FACE RESPIRATOR WITH ORGANIC VAPOR  
CARTRIDGE REQUIRED FOR ENTRY OVER

4 HOUR PUR. DLY.

FORCED AIR VENTILATION REQD. (MIN. 1000 CFM)

BENZENE - LESS THAN 1 PPM

A RCO LINES & DRY DIAL - WASHED & DRAINED.

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the designated Marine Chemist.

**QUALIFICATIONS:** Transfer of Ballast Water from one tank to another shall be done in accordance with the instructions on the Ballast Water Transfer System (BWT) diagram. Ballast water shall not be transferred to gas accumulation unless specifically approved in the Certificate of Designation for the space so affected. All lines, valves, fittings, etc., shall be properly secured and labeled in accordance with the designated.

**STANDARD SAFETY DESIGNATIONS:** (a) Safe for Workers: Means that in the compartment or space designated, (1) the atmosphere is safe for workers to enter for a period of at least 15 minutes by volume, and that (2) toxic materials in the atmosphere are within permissible exposure limits (PELs) as defined by the Occupational Safety and Health Administration (OSHA) under existing atmospheric conditions while maintained as tested on the Marine Chemist's Certificate.

**NOT SAFE FOR WORKERS:** Means that in the compartment or space designated, (1) the atmosphere is not safe for workers to enter for a period of at least 15 minutes by volume, with the exception of inerted spaces or where external hot work is to be performed, and that (2) the concentration of any flammable gas or vapor is above 10 percent of the lower flammable limit and that (3) the residues are not capable of producing a higher concentration of flammable gas or vapor than 10 percent of the lower flammable limit. In the presence of fire and while maintained as directed on the Marine Chemist's Certificate, the compartment or space may be entered by workers wearing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire. Rooms, bays, or fire (both bays), have been treated in accordance with the Marine Chemist's Certificate.

**NOT SAFE FOR HOT WORK:** Means that in the compartment or space designated, the atmosphere is not safe for hot work to be performed. The atmosphere shall be tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 10 percent of the lower flammable limit, or (b) are inerted.

**SAFE FOR REPAIR YARD ENTRY:** Means that the compartments and spaces of the ship have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 10 percent of the lower flammable limit, or (b) are inerted.

**CHEMIST'S ENDORSEMENT:** This is to certify that I have personally determined that all spaces designated on this Certificate are in accordance with NFPA 308 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its designation.

I, the undersigned, acknowledge receipt of this Certificate under Section 2.3 of NFPA 308 and its associated conditions and limitations under which it was issued.

David Whelchel SBR

11-14-85

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS.

Printed in U.S.



**SBA SHIPYARDS, INC.**  
**PROBABLE SOURCES OF CONTAMINANTS CURRENTLY PRESENT IN TANKS AND PITS**

COMPANY	DATE(S)*	VESSEL NUMBER	PREVIOUS 3 CARGOES	WORK ORDER NO.	ADDITIONAL INFO.
Cenac Towing Company	11/14/88	CTCO 181	#6 Oil, Crude, Condensate	1094	Last cargo 6-oil and crude oil
	5/8/89	CTCO-186	Condensate	1122	Stripped condensate from tanks
	9/11/90	CTCO 153	Crude Oil	1180	Cleaned out paraffin off of crude oil
	6/4/90	CTCO-188-12	Condensate	1170	Stripped barge of condensate approx. 3 bbls vacuum trucks
	6/4/90	CTCO-189-12	Condensate	1170	Stripped barge of condensate approx. 3 bbls vacuum trucks
	2/1/91	CTCO-175	Crude Oil	1198	Removed approx. 60 bbls paraffin wax off of crude oil
	10/18/91	CTCO 3022	Crude Oil (3x)	1222	Arrived Pre-Cleaned
	12/31/91	CTCO 154	Slop Oil	1226	Approx. 16 bbls of 6-oil and crude oil removed.
	2/7/92	CTCO 2312	Crude Oil (3x)	1230	Arrived Pre-Cleaned
	4/5/92	CTCO-2304		1240	Arrived Pre-Cleaned
	5/3/92	CTCO-175		1248	Removed 10 bbls scale, wax & grease
	2/20/92	HBL 3006	Asphalt (3x)	1234	Approx. 12' in #1 port and #2 STB of asphalt
	4/13/92	CTCO 2303	Crude Oil (3x)	1246	Arrived Pre-Cleaned
	5/22/92	CTCO 2311	Crude Oil	1252	Arrived Pre-Cleaned
	8/17/92	CTCO 3005	Asphalt, #6	1256	removed approx. 38 bbls 6-oil, asphalt & rust

**SBA SHIPYARDS, INC.**  
**PROBABLE SOURCES OF CONTAMINANTS CURRENTLY PRESENT IN TANKS AND PITS**

COMPANY	DATE(S)*	VESSEL NUMBER	PREVIOUS 3 CARGOES	WORK ORDER NO.	ADDITIONAL INFO.
Cenac Towing Company	9/4/92	CTCO 1183	Lube Oil	1257	removed approx. 18 bbls B. S. & W.
	11/6/92	CTCO 3003	No. 6 Oil	1262	Removed approx. 168 bbls of rust, asphalt & 6-oil
	1/5/93	CTCO 186-20	Crude Oil	1271	Arrived Pre-Cleaned
	4/5/93	CTCO 3007	Heavy Slop Oil	1273	Removed approx. 201 bbls of asphalt, rust & 6-oil
	6/11/93	CTCO 181	Waste Water, Drill Water	1280	removed approx. 12 bbls of scale and B.S. & W.
	7/15/93	CTCO 196-20	Crude Distillate	1283	Cleaned for change of cargo crude oil to diesel
	7/28/93	CTCO 196-26	Waste Water	1284	Cleaned sewage barge rust and scale
	10/15/93	CTCO 3025	Carbon Oil	1292	Cleaned approx. 130 bbls carbon oil
	9/6/93	CTCO-2001	Light Oil	1290	Stripped vessel for change of cargo light oil
	9/6/93	CTCO 2002	Light Oil	1290	Stripped vessel for change of cargo light oil
	10/5/93	CTOC-197	Light Oil	1293	Stripped light products from barge approx. 76 bbls.
	10/5/93	CTCO-198	Light Oil	1293	Stripped light products from barge approx. 76 bbls.
	10/27/93	CTCO 179	Crude Oil	1295	Arrived Pre-Cleaned

**SBA SHIPYARDS, INC.**  
**PROBABLE SOURCES OF CONTAMINANTS CURRENTLY PRESENT IN TANKS AND PITS**

COMPANY	DATE(S)*	VESSEL NUMBER	PREVIOUS 3 CARGOES	WORK ORDER NO.	ADDITIONAL INFO.
Cenac Towing Company	3/7/94	CTCO 2003	Condensate, Crude Oil, No. 6 Oil	2736	No additional information
	10/4/94	CTCO-198	Crude oil, No. 6 oil	1338	Removed approx. 24 bbls heavy crude and 6-oil
	5/17/94	CTCO 3025	Carbon Oil, Crude Oil	1311	Removed approx. 48 bbls product
	8/9/94	CTCO 3022	Crude Oil	1326	Approx. 25 bbls of product removed
	8/16/94	CTCO 1524b	Crude Oil	1327	Removed approx. 30 bbls product
	8/24/94	CTCO 1526b	Crude Oil 3x	1328	Heavy crude oil approx. 90 bbls removed
	5/1/95	CTCO 230	Crude Oil (3x)	1353	Removed approx. 38 bbls heavy grease and paraffin wax
	7/9/95	CTCO-194	Crude Oil	1363	Removed approx. 46 bbls of rust, paraffin & crude oil
	8/1/95	CTCO-195	Crude Oil	1364	Removed approx. 51 bbls rust, crude oil, and paraffin wax
	11/2/95	CTCO-3024		1371	Arrived Pre-Cleaned
	11/3/95	CTCO-3025		1373	Arrived Pre-Cleaned
	2/3/96	CTCO-194-25	Carbon Oil	1378	Removed approx. 35 bbls of carbon oil and slurry oil

TOTAL BARGES CLEANED FOR THIS CUSTOMER = 31

\* - Based on date from Marine Chemist's Gas Free Certificate



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

December 12, 2002

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7000 0520 0022 2560 7567

Mr. Louis Smaihall  
Owner/President  
SBA Shipyards, Inc.  
P.O. Box 1386  
Jennings, LA 70546

Re: **Transmittal of Executed and Filed Order and Agreement ("Agreement") for Interim Measures/Removal Action ("IM/RA") of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., Jennings, LA, EPA ID No. LAD008434185 ("SBA") pursuant to Section 3008(h) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(h). Docket No. RCRA-6-2002-0908.**

Dear Mr. Smaihall:

I am transmitting a copy of the Agreement dated December 9, 2002, for your records. At this time I am also requesting summary information which you have developed relating to the customers of SBA. This would include but not be limited to the circa 1996 letter from your counsel of the time to SBA customers in which SBA requests funding support for remedial activities at the SBA facility from approximately twenty-two (22) current and former customers.

Should you have any further questions, please feel free to contact me at (214) 665-2280 or by any other means noted in the Agreement.

Sincerely yours,

Gene Keepper, CHMM  
RCRA Project Manager  
Technical Section (6EN-HX)

Enclosures

cc: Michael A. Chernekoff, Esq.  
Michael Pisani, MP&A  
Lourdes Iturralde, LDEQ  
Keith Horn, LDEQ-RSD

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

December 12, 2002

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7000 0520 0022 2560 7550

SSIC Remediation, L.L.C.  
c/o Atty. Michael A. Chernekoff  
Jones Walker  
201 St. Charles Avenue, 50<sup>th</sup> Floor  
New Orleans, LA 70170-5100

Re: **Transmittal of Executed and Filed Order and Agreement ("Agreement") for Interim Measures/Removal Action ("IM/RA") of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., Jennings, LA, EPA ID No. LAD008434185 ("SBA") pursuant to Section 3008(h) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(h). Docket No. RCRA-6-2002-0908.**

Dear Mr. Chernekoff:

I am transmitting a copy of the Agreement dated December 9, 2002, for your records and the records of SSIC Remediation. As we have previously discussed, I will await a written response from your office which includes: a member listing of the Limited Liability Corporation SSIC Remediation, which includes designation of corporate representation by those members; the articles of incorporation for SSIC Remediation, L.L.C.; and the full listing of SBA Shipyards, Inc. customers, to the best of the knowledge of SSIC.

Should you or members of SSIC have any further questions, please feel free to contact me at (214) 665-2280 or by any other means noted in the Agreement.

Sincerely yours,

Gene Keeppet, CHMM  
RCRA Project Manager  
Technical Section (6EN-HX)

Enclosures

cc: Michael Pisani, MP&A  
Louis Smaihall, SBA  
Lourdes Iturralde, LDEQ  
Keith Horn, LDEQ-RSD



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

DEC 09 2002

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EPA REGION VI

VIA FEDERAL EXPRESS: 8220 0515 8452

SSIC Remediation, L.L.C.  
c/o Atty. Michael A. Chernekoff  
Jones Walker  
201 St. Charles Avenue, 50<sup>th</sup> Floor  
New Orleans, LA 70170-5100

VIA FAX & CERTIFIED MAIL-RETURN RECEIPT REQUESTED: 7000 5020 0022 2560 7543

Mr. Louis Smaihall  
Owner/President  
SBA Shipyards, Inc.  
P.O. Box 1386  
Jennings, LA 70546

Re: *Order and Agreement ("Agreement") for Interim Measures/Removal Action ("IM/RA") of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., Jennings, LA, EPA ID No. LAD008434185 ("SBA") pursuant to Section 3008(h) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(h). Docket No. RCRA-6-2002-0908.*

Dear Messrs. Chernekoff and Smaihall:

The U.S. Environmental Protection Agency, Region 6 ("EPA") has identified elevated levels of certain contaminants in waste, soil, subsoil, and ground water media at SBA. This contamination resulted from historic clean-out operations at SBA conducted within barges and ships for or on behalf of members of SSIC Remediation, L.L.C. ("SSIC") and others. The clean-out residues were placed in tanks, two (2) impoundments and a land farm.

Samples were obtained from the area at SBA identified hereinafter as the SBA South Operable Unit ("SBA-SOU"), including samples of soil and subsoil media, and of tank and impoundment contents. The SBA-SOU shall be defined as all SBA property generally south and west of the line identified as "Lease Line of Property by Others" on the attached Statement of Work ("SOW"), Figure 1: Facility Plot Plan. The SBA-SOU soil and subsoil media samples contained concentrations of anthracene, chrysene, fluoranthene, phenanthrene, methylene chloride, and chromium exceeding the EPA Region 6 Media Specific Screening Levels.<sup>1</sup> Certain of the SBA-SOU tank and impoundment samples exceeded the Toxicity Characteristic Regulatory Limits for benzene and vinyl chloride. Most of the contamination of interest for the IM/RA described in the attached SOW exists in and around the areas noted in SOW Figure 1 as oil pit, oily material tanks, partially buried barge.

Ground water samples were obtained from the area at SBA identified hereinafter as the SBA Ground Water Operable Unit ("SBA-GWOU"). The SBA-GWOU, at a minimum, follows the areal extent of the SBA-SOU and may incorporate additional subsurface lateral extent as a function of ground water flow and contamination patterns. The SBA-GWOU ground water samples contained non-aqueous phase liquids and concentrations of benzene exceeding the maximum contaminant level ("MCL") for drinking water.

<sup>1</sup>The EPA Region 6 Media Specific Screening Levels are available on the world wide web at [http://www.epa.gov/earth/r6/6pd/rcra\\_c/pd-n/screen.htm](http://www.epa.gov/earth/r6/6pd/rcra_c/pd-n/screen.htm).

The elevated contaminant levels in the SBA-SOU soil and subsoil and in the SBA-GWOU ground water constitute a release of hazardous constituents to the environment. In accordance with Section 3008(h) of RCRA 42, U.S.C. 6928(h), EPA has the authority to issue an Order to require cleanup actions where the Agency has made a determination that there is a release of hazardous constituents into the environment from an interim status facility. SBA should have had interim status or a permit to store characteristic hazardous wastes in impoundments and operate a land farm. EPA believes that the presence of hazardous constituents in the environment at SBA presents a threat to human health and the environment. Consequently, cleanup actions at SBA are necessary to limit exposure for humans or organisms to these hazardous constituents.

EPA has reviewed the attached SOW, submitted by SSIC, and finds it acceptable for an IM/RA. SBA agrees to implement an IM/RA on the SBA-SOU to meet visual removal levels as outlined in the SOW, with SSIC project management assistance. Implementing activities described in the SOW will remove the hazardous/principle threat wastes and allow future long term remedial work at SBA to proceed safely. EPA intends to pursue future long-term remedial work at the SBA facility, under a subsequent agreement to be finalized within three (3) years.

#### I. Requirements, Studies, and Documents Incorporated by Reference

SBA shall implement all parts of the SOW which is incorporated by reference into this Agreement and SSIC shall fund and assist in management of that implementation. The parties recognize that the SOW requires studies and/or work plans be submitted to EPA for comment and/or approval. All such studies and work plans, upon approval by EPA, are deemed incorporated by reference into both this Agreement and the incorporated SOW. Any changes to the scope of the SOW, whether an increase or a decrease in scope of the SOW, must be in writing and must be agreed to by the Project Managers designated below.

#### II. Project Managers

EPA has designated a Project Manager to provide oversight for the activities in this Agreement. The EPA Project Manager shall be EPA's designated representative for remedial activities at the Facility and shall be:

Mr. Gene Keepper, CHMM  
RCRA Project Manager  
U.S. Environmental Protection Agency  
Region 6 (6EN-HX)  
1445 Ross Avenue, Suite 900  
Dallas, Texas 75202-2733  
Phone: 214-665-2280  
Fax: 214-665-7264  
E-mail: Keepper.Gene@epa.gov

SBA and SSIC have designated a joint Project Manager to oversee implementation of the SOW. The SBA/SSIC designated Project Manager is:

Mr. Michael E. Pisani, P.E.  
Michael Pisani & Associates, Inc.  
1100 Poydras Street  
Energy Center  
New Orleans, LA 70163  
Phone: 504-582-2468  
Fax: 504-582-2470  
E-mail: m.pisani@ix.netcom.com

Unless otherwise provided herein, all communications between SBA/SSIC and the EPA, and all documents, reports, approvals, and other correspondence concerning the activities performed pursuant to the terms and conditions of this Agreement shall be directed through the Project Managers.

SBA/SSIC shall notify the EPA in writing of the name, title, and qualifications of any contractors or subcontractors and their personnel to be used in carrying out the terms of this Agreement within five (5) calendar days of the effective date of this Agreement, or within five (5) calendar days prior to such contract or subcontract.

### III. Effective Date of this Agreement

SBA shall state its agreement to perform the activities in this Agreement, jointly with SSIC, by the signing by a responsible official on the signature line for SBA found below. SSIC shall state its agreement to perform the activities in this Agreement, jointly with SBA, by the signing by a responsible official on the signature line for SSIC found below. The original of this Agreement with the signatures for SBA and SSIC shall be returned to EPA within 45 calendar days of receipt of this Agreement. This Agreement is effective upon the signatures for both SBA and SSIC and the filing by EPA of the original Agreement containing the signatures for EPA, SBA, and SSIC with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 6.

### IV. Work

EPA acknowledges that the work performed at this facility in accordance with this Agreement would achieve programmatic parity, avoid duplication and delay, and achieve substantive consistency between remedial programs as described in the NPL/RCRA deferral policy (54 FR 41000).

### V. Contribution Protection

The parties agree, and by entering into this Agreement EPA intends, that SBA, its President, Mr. Louis Smaihall, SSIC and the members of SSIC are entitled, as of the effective date of this Agreement, to protection from contribution actions or claims for the actions or matters addressed by Section 3008(h) of RCRA and memorialized in this Agreement.

### VI. Oversight Costs

If SBA and SSIC fulfill all obligations of this Agreement, EPA agrees it will not assert any claim against SBA or SSIC (or its members) for costs associated with oversight of work by EPA's RCRA Project Manager performed by SBA and/or SSIC under this Agreement.




If either SBA chooses not to implement or SSIC chooses not to fund or assist in managing work pursuant to the SOW, EPA will evaluate its options (including issuance of Unilateral Orders under Sections 3008(h) or 7003 of RCRA or CERCLA remedial action) against all parties to ensure that concerns are properly addressed. If problems or unforeseen circumstances arise, the EPA will assist as needed to achieve a timely and effective remediation. EPA appreciates your cooperation in this matter. If you have any questions concerning the work required by this Agreement, please do not hesitate to contact Mr. Gene Keeper by any method previously indicated.

Sincerely yours,

A handwritten signature in cursive script that reads "Samuel Coleman, P.E.". The signature is written in dark ink and is positioned above the printed name and title.

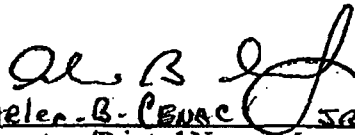
Samuel Coleman, P.E.  
Director  
Compliance Assurance and  
Enforcement Division

IT IS AGREED:

  
Mr. Louis Smaihall  
Owner/President, SBA Shipyards, Inc.

Date: 11/21/02

IT IS AGREED:

  
Allen B. Cenac  
Signature/Printed Name, Manager  
SSIC Remediation, L.L.C.

Date: 11/14/02

Enclosure

cc: Lourdes Iturralde, LDEQ  
Keith Horn, LDEQ-RSD  
Michael Pisani, Michael Pisani and Associates

### **CERTIFICATE OF SERVICE**


I hereby certify that on the 10 th day of December 2002, the original of the Subject Letter Agreement was hand delivered to and filed by the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 6, Wells Fargo Bank Tower, 1445 Ross Avenue, Dallas, Texas 75202-2733, and that on the 12 th day of December 2002, that true and correct copies of the Letter Agreement were sent to the following by the method indicated below:

**VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7000 0520 0022 2560 7567**

Mr. Louis Smaihall  
Owner/President  
SBA Shipyards, Inc.  
P.O. Box 1386  
Jennings, LA 70546

**VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7000 0520 0022 2560 7550**

SSIC Remediation, L.L.C.  
c/o Atty. Michael A. Chernekoff  
Jones Walker  
201 St. Charles Avenue, 50th Floor  
New Orleans, LA 70170-5100

  
Signature \_\_\_\_\_  
12 Dec 2002

**August 15, 2001  
Statement of Work  
Accelerated Cleanup Action**

**SBA Shipyards, Inc.  
Jennings, Louisiana**

**Summary**

This Statement of Work (SOW) describes Interim Measures to be performed at the SBA Shipyards, Inc. ("SBA"), site near Jennings, Louisiana ("the Site"). The Interim Measures described herein address removal and offsite thermal destruction of oils and the solidification & stabilization of oily sludges. These materials pose a potential risk of fire, explosion or release to the environment. The objective of these Interim Measures is to reduce that threat through the removal of these materials.

This SOW describes the framework and major work components by which the objective of these Interim Measures will be met. Detailed descriptions of key work components and/or tasks (e.g., treatability testing, water disposal, selection of offsite disposal facilities for solidified sludges, etc.) will be presented to the U.S. EPA in brief work plans for review and approval. For each key task, a brief work plan will be submitted at least ten working days prior to commencement of that task.

SBA will transport pumpable oils and oily materials from the site to an offsite permitted thermal destruction facility. Oils, waxes and oily sludges that are not acceptable to the thermal destruction facility will be solidified and stabilized in-situ, and the solidified/stabilized material will be transported offsite to a RCRA Subtitle D permitted landfill.

This SOW does not address ground water, nor does it address any impacted media stemming from site activities not directly associated with barge-cleaning activities conducted by SBA.

**Site Description**

The Site is located on the west bank of the Mermentau River at the end of Louisiana Highway 3166 (Castex Landing Road), approximately four miles southeast of Jennings, Louisiana and approximately two miles southwest of Mermentau, Louisiana. The SBA facility was used to construct, repair and clean barges and other marine vessels since the mid-1960s. The approximately 98-acre site is a predominantly open area on the banks of the Mermentau River.

Beginning in 1993, the portion of the site used to construct and repair barges and other marine vessels was leased to another firm; that firm has since acquired the leased portion of the SBA facility. The portion of the site used by SBA for "gas-free" barge cleaning activities is the portion of the site located south of the barge slip. A site map, showing major site features, is attached as Figure 1.

A mixture of oils and water resulting from past barge cleaning activities is contained in a number of aboveground steel tanks and vessels in the portion of the facility used for barge cleaning activities. A partially buried barge contains a number of compartments filled or partially filled with oil, water and small amounts of solids and/or sludges. In addition, an open earthen pit on the site contains oil, waxes, solids and/or sludges and water.

### **Scope of Work**

This SOW describes only Interim Measures associated with the stabilization and/or removal of pumpable oils and oily sludges that were generated by SBA as part of barge-cleaning activities at the facility.

This SOW defines the scope of planned Interim Measures for addressing oils and oily sludges generated by barge-cleaning activities conducted by SBA, at its barge-cleaning facility near Jennings, Louisiana. The objective of the Interim Measures described herein is to minimize the potential for release of contaminants from the site by reducing the mobility, toxicity and volume of contaminated media.

The volume, mobility and toxicity of contaminated media will be reduced through the removal from the site of pumpable oils and oily material generated by previous barge cleaning activities conducted at the site. These pumpable oils and oily materials will be incinerated or otherwise thermally destroyed at an offsite, permitted facility.

The volume, toxicity and mobility of contaminants at the site will also be reduced through the stabilization/solidification and offsite disposal (as non-hazardous solid waste) of waxes and sludges generated by barge cleaning activities at the site. In the unlikely event that any material is not accepted for offsite disposal by a RCRA Subtitle D facility, it will be stabilized/solidified, consolidated onsite, and capped with a low-permeability polymer liner until appropriate measures for management and final disposition of the consolidated material can be determined.

A work plan with a definite schedule for final disposition of consolidated onsite materials will be submitted to U.S. EPA within 45 days after completion of the consolidation activities.

The scope of this SOW is performance of the Interim Measures described herein. The scope of the Interim Measures is limited to addressing pumpable oil mixtures, waxes, sludges and sludge-like soils generated by barge cleaning activities at the site.

Management of ground water and/or contaminated soils which may be associated with SBA's barge cleaning activities will be addressed in the future, after the Interim Measures described herein have been completed and evaluated with respect to Preliminary Remedial Goals for the site.

### **Preliminary Remedial Goals**

Preliminary Remedial Goals (PRGs) for the Interim Measures described herein are the removal of oils and oily materials contained in tanks and land based units (i.e., earthen pits and landfarm) at the Site, the SBA South Operable Unit (SBA-SOU). These fluids and sludges contain hazardous constituents in concentrations great enough which present a potential risk of fire, explosion or release to the environment. The removal of these materials from the site will eliminate or mitigate against any such risk. Under these criteria, the site-specific PRGs are:

- Complete removal of oils and oily Principal Threat/Hazardous Wastes contained in all Site tanks or containers followed by decontamination. Removal & decontamination, will be followed by exhumation, if necessary, demolition, and cutting & scrapping of all tanks or containers. Details of decontamination, exhumation, if necessary, demolition, and cutting & scrapping of all tanks are presented in a section below.
- Removal of Principal Threat/Hazardous Wastes from the Site land based units (i.e., impoundments and landfarm) shall, at a minimum, be based upon visual observations of surface or subsurface staining and physical characteristics of the oily materials (i.e., viscosity, solids content and pumpability) not numerical concentration criteria for purposes of this Interim Measures Removal. Respondents may use as yet unidentified numerical PRGs for confirmatory sampling, once those PRGs are identified by respondents and agreed to by both EPA and Respondents. Removals will be performed on site Principal Threat/Hazardous Wastes in the earthen pit(s) and landfarm to a depth and laterally to where no visible staining is apparent or six inches below the interface between pit/landfarm sludges and underlying soils whichever is less but still at or above the water table. If the water table is encountered above the interface of pit sludges and underlying soils, removal shall occur only to the water table.

Guidelines for final disposition of removed materials are presented below:

- Offsite incineration of pumpable oil mixtures conforming to acceptance criteria of the incineration facility or facilities.
- Stabilization/solidification and offsite RCRA Subtitle D facility disposal of waxes/sludges and oil mixtures not conforming to acceptance criteria of the incineration facility or facilities.
- Stabilization/solidification and temporary onsite consolidation/containment of stabilized/solidified waxes/sludges and oil mixtures not conforming to acceptance criteria of the offsite RCRA Subtitle D facility or facilities. Ultimate disposition of the consolidated material will be determined through a focused feasibility study of appropriate management alternatives.

The Louisiana Risk Evaluation/Corrective Action Program (RECAP), promulgated June 20, 2000 at LAC 33:I.1307, *et seq.*, defines a tiered human health risk-based program for defining cleanup standards for contaminated sites, based on site-specific risk parameters, including current and future use of the site, site geometry, and site geology. The most current version of the Louisiana RECAP program or more stringent risk-based cleanup standards developed under RCRA, including ecological risk based standards, will be considered for any additional work at the site. That additional work may include the development of long-term remedial goals for the site which are protective of human health and the environment, including, but not limited to, the adjacent jurisdictional wetlands and Mermentau River aquifer or other as-yet unidentified ecological receptors.

#### **Inventory of Oil Mixture**

The site contains approximately one million gallons of a relatively solids-free oil mixture. This oil mixture consists of roughly 48% hydrocarbons, 50% water and 2% solids in a tightly bound and viscous, black oily emulsion. This material is contained in the partially buried barge/tank and other onsite tanks.

The estimated inventory of oil mixture is summarized in Table 1 (attached). The material inventory estimates provided in Table 1 are based on vessel dimension measurements, visual observations, and tank content measurements made by Michael Pisani & Associates, Inc. on May 3, 2001. The total estimated inventory of pumpable oil mixture is approximately 1.16 million gallons (approximately 27,650 barrels) in the six major vessels and 14 compartments of the partially buried barge/tank located at the site.

The waxes and sludges in the earthen pit may not meet the acceptance criteria of the offsite disposal facility (i.e., viscosity and solids content) and are not included in the inventory of pumpable oil mixture described herein. Based on data presented in the facility's *RCRA Facility Investigation Work Plan* (Woodward-



Clyde Consultants, Inc., October 1996), the estimated inventory of oily sludges in the earthen pit is approximately 1.5 million to 1.7 million gallons.

The volume of oil mixture transported offsite will be measured and recorded by the incineration facility or other facilities accepting the material from SBA. In addition, the transporter hauling the material will measure the size of each truckload transported from the site for billing purposes.

### **Removal and Offsite Disposal of Oil Mixture**

Pumpable oil mixture will be:

1. Heated (if necessary to reduce viscosity);
2. Filtered through cartridge filters to remove large solids;
3. Loaded into tanker trucks (or onto barges, if feasible) for transport;
4. Manifested for transport, measured (by volume); then
5. Transported offsite for weighing and thermal destruction.

Rhodia, Inc. (Baton Rouge, Louisiana and Houston, Texas) accepted the oil mixture for conducting a trial burn. Based on the successful trial burn results, Rhodia has commenced incineration of the oil mixture on a full-scale basis. In addition, discussions with Safety-Kleen Corporation (Deer Park, Texas) are also in progress for Safety-Kleen to incinerate the oil mixture as well.

### **Scrapping Empty Vessels**

As vessels at the Site (including the partially buried barge/tank) are emptied during the execution of these Interim Measures, the empty vessels will be exhumed, if needed, decontaminated, then cut up and sold as scrap metal or sold for reuse. Prior to scrapping or reuse, each empty vessel will be cleaned to remove residual oil and solids. Water and/or steam blowdown that accumulates in the vessel during cleaning will be collected in remaining tankage and managed with other site water, as described in a subsequent section of this SOW.

As the inventory of oily material is reduced, U.S. EPA will be notified of planned empty vessel scrapping activities at least ten working days prior to commencing the work. Decontamination and scrapping procedures will be described in a brief work plan submittal for EPA review and approval.

### **Stabilization of Waxes and Sludges**

The waxes and sludges are contained in the open, onsite earthen pit. The earthen pit also contains water and may also contain small amounts of relatively solids-free oil mixture. The water in the earthen pit will be pumped out of the pit and disposed as discussed in the following section regarding water disposal.

Pumpable, relatively solids-free oil mixture from the earthen pit will be pumped to an onsite tank for management with the oil mixture sent offsite for incineration.

The remaining waxes, oily sludges, oily soils and any impacted soils found above the water table, will then be solidified/ stabilized *in situ* in the earthen pit using fly ash, portland cement and site soils. Optimal dosages and types of stabilization reagent will be determined by bench-scale treatability testing prior to full-scale implementation. The treatability study will include analyses of untreated materials, as well as laboratory analyses of treated materials.

Based on the bench-scale treatability testing results, optimal dosages and types of stabilization reagents will be added to the earthen pit, and the material will be mixed in-situ with a dragline or hydraulic excavator. Pending the results of the treatability study, soil may augment the solidification/stabilization process by increasing the solids content of the oily material, reducing the quantity of required binding reagent and improving the effectiveness of the pozzolanic binding reaction.

Soils will be excavated to a depth of approximately 18 inches from the approximately 100-foot by 200-foot former landfarm unit area west of the oil pit. The extent of excavation will be determined in the field by visual observations of soil staining. The landfarm soils will be solidified/stabilized with the contents of the oil pit.

The stabilized material will then be allowed to harden or cure over a period of several weeks. Precipitation or other accumulated water in the pit will be pumped off and managed as described in the Water Management section of this SOW.

After the stabilizing reactions are complete, the stabilized materials will be sampled and profiled for offsite disposal as non-hazardous, industrial solid waste. Upon acceptance by a permitted solid waste disposal facility, the stabilized material will be excavated and transported offsite for final disposal as solid waste or use as landfill cover material at a permitted RCRA Subtitle D landfill facility. For materials accepted by the RCRA Subtitle D facility, a Land Disposal Regulations (LDR) certification that the stabilized/solidified material does not exhibit hazardous waste characteristics will be prepared and signed by SBA's designated representative.

In the unlikely event that no RCRA Subtitle D facility will accept the stabilized/solidified material, appropriate alternative treatment or offsite disposal measures will be evaluated, depending upon the disqualifying characteristic of the material. A work plan for development of a feasibility study for final disposition of consolidated materials will be submitted to U.S. EPA within 45 days after completion of consolidation activities.

Brief work plans describing the treatability testing and waste testing procedures will be prepared and submitted to U.S. EPA for review at least ten working days prior to commencing the work.

### **Water Management**

Water will be stored in either the partially buried barge or onsite tanks. At the appropriate time and depending upon water volumes and characteristics, the water will either be treated and discharged pursuant to Louisiana Department of Environmental Quality (LDEQ) authorization or transported offsite for treatment and disposal at a permitted commercial facility.

A brief work plan describing water management procedures will be prepared and submitted to U.S. EPA for review at least ten working days prior to commencing the work.

### **Interim Closure Measures**

The emptied earthen pit will be backfilled using uncontaminated onsite soils. Nutrients (e.g., nitrogen-containing agricultural fertilizers) may also be added prior to backfilling and regrading excavated areas (e.g., the former pits). The nutrients will be entrained into the soil using a bulldozer and/or tractor-pulled disks, which will also aerate and mix the soil prior to compaction and regrading. Details of the backfilling operation and nutrient addition will be produced in a separate workplan for approval by the EPA.

Based on waste profile sampling and analytical results from samples of stabilized and solidified materials, any material not accepted by the offsite disposal facilities will be stabilized/solidified and consolidated onsite. Consolidated materials will be confined to as small an areal footprint as is practicable, depending upon material volume, design of adequate top and side slopes for surface drainage and slope stability, and other pertinent design factors. As a current concept, the material will be consolidated aboveground, compacted and capped with a low-permeability polymer liner to minimize surface water infiltration for interim staging/storage while decisions for ultimate disposal are made. Excavated areas will be backfilled and compacted. The surfaces of backfilled areas will be graded for proper surface drainage and seeded with native grasses.

A brief work plan describing interim closure measures will be prepared and submitted to U.S. EPA for review at least ten working days prior to commencing the work.

### **Site Health and Safety**

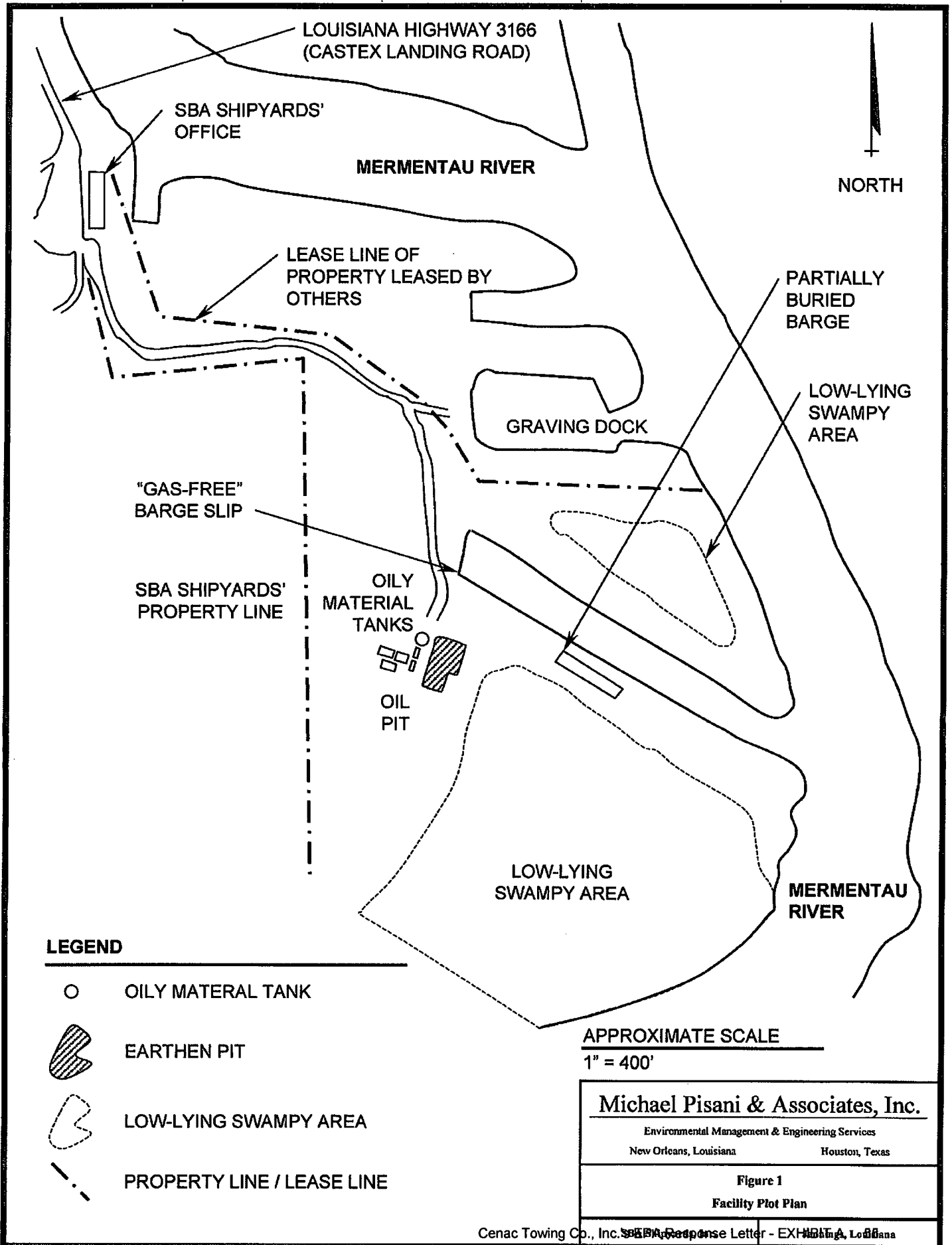
Site activities will be performed in accordance with procedures described in the site-specific health and safety plan developed as Appendix A of *Interim Site Stabilization Measures Work Plan* (Woodward-Clyde Consultants, Inc., October 1996). During stabilization/solidification activities conducted at the site, fence-line ambient air monitoring of airborne particulates will be performed to monitor potential human health effects to site workers and offsite personnel. Air monitoring limits shall be established protective of off-site personnel. Work modification or stoppage shall be implemented as needed to maintain off-site protectiveness.

### **Reporting**

As the Interim Measures described herein are implemented, monthly progress reports will be submitted to U.S. EPA, documenting the implementation of the Interim Measures described herein, including the removal and offsite disposal of oil mixture. Each monthly progress report will describe (for the reporting period) activities performed, upcoming planned tasks, problems encountered and measures taken to correct those problems. Air monitoring limits shall be established protective of off-site personnel. Work modification or stoppage shall be implemented as needed to maintain off-site protectiveness.

As described previously herein, brief work plans will be submitted for U.S. EPA review at least ten working days prior to commencement of the following key tasks:

- Scrapping of Empty Vessels
- Stabilization of Waxes and Sludges
- Water Management
- Interim Closure Measures
- Area of Contamination Consolidation (if required).



**Table 1**  
**Pumpable Oily Material Inventory**  
**May 3, 2001**

**SBA Shipyards, Inc.**  
**Jennings, Louisiana**

Tank or Impoundment	Estimated Maximum Capacity		Observed Depth of Contents <sup>(u)</sup>	Estimated Material Inventory			Visual Observations <sup>(u)</sup>
	(gallons)	(barrels)		(gal)	(barrels)	(pounds) <sup>(a)</sup>	
<b>Selected Tanks</b>							
Tank AT-1	17,042	406	52"	9,814	234	81,898	Horizontal cylindrical tank (mostly water).
Tank AT-2	17,042	406	77"	13,703	326	114,352	Horizontal cylindrical tank (2" sludge layer on bott
Tank WT-1	106,837	2,544	85"	88,561	2,109	739,044	Very thick oil.
Tank WT-2	111,482	2,654	70"	77,553	1,847	647,183	24" sludge layer on bottom.
Tank WT-3	109,159	2,599	93"	93,998	2,238	784,416	36" sludge layer on bottom.
Tank ST-1	420,000 <sup>(c)</sup>	10,000	9' - 10" <sup>(d)</sup>	99,474	2,368	830,111	38' high vertical cylindrical tank.
<b>Total</b>	781,562 gallons	18,609 barrels		<b>383,104</b> gallons	9,122 barrels	3,197,003 pounds	
<b>Former Barge (OT-4)</b>							
Bow Rake Tank	26,853	639	56"	20,862	497	174,093	Very thick oil (2" sludge layer on bottom).
Deck Tank S	Not Measured	Unknown	Empty	Negligible	Negligible	Negligible	Dry, some rust scale.
Deck Tank P	Not Measured	Unknown	6"	Negligible	Negligible	Negligible	Oil, no visible water.
Compartment 1S	75,054	1,787	118"	65,659	1,563	547,924	
Compartment 1P	75,054	1,787	119"	64,874	1,545	541,374	
Compartment 2S	71,808	1,710	78"	58,344	1,389	486,881	
Compartment 2P	71,808	1,710	78"	58,344	1,389	486,881	
Compartment 3S	100,279	2,388	111"	84,325	2,008	703,692	
Compartment 3P	100,279	2,388	111"	84,325	2,008	703,692	
Compartment 4S	100,279	2,388	114"	86,604	2,062	722,710	
Compartment 4P	100,279	2,388	114"	86,604	2,062	722,710	
Compartment 5S	86,908	2,069	115"	75,689	1,802	631,625	
Compartment 5P	86,908	2,069	114"	75,057	1,787	626,351	
Aft Trim Tank	18,388	438	112"	17,447	415	145,595	
<b>Total</b>	913,897 gallons	21,759 barrels		<b>778,134</b> gallons	18,527 barrels	6,493,528 pounds	
<b>Grand Total</b>	1,695,459 gallons	40,368 barrels		<b>1,161,238</b> gallons	27,649 barrels	9,690,531 pounds	

**NOTES:**

- (a) Based on bulk density of 8.345 pounds/gallon.  
 (b) MP&A site visit (May 3, 2001).  
 (c) According to Mr. Louis Smaihall, the total volume is 10,000 barrels (420,000 gallons).  
 (d) Measurement read from permanently installed float gauge on tank.



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713-437-1800  
FAX 713-437-1810  
www.joneswalker.com

Michael A. Chernekoff  
Direct Dial: 713-437-1827  
Direct Fax: 713-437-1927  
mchernekoff@joneswalker.com

February 19, 2015

Mark Hayes  
Federal On-Scene Coordinator  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

Re: Notice of Federal Interest in a Petroleum Release Incident –  
SBA Shipyard Inc. release (FPN E15608), 9040 Castex Landing Road, Jennings,  
Jefferson Davis Parish, Louisiana

Dear Mr. Hayes:

I am in receipt of your Notice of Federal Interest letter dated February 9, 2015 relating to the SBA Shipyard Inc. site in Jennings, LA. Your letter is addressed to my law firm and me personally as a representative of SSIC Remediation, LLC ("SSIC"). Please be advised that SSIC was dissolved as of December 30, 2009. A copy of a Louisiana Secretary of State document confirming that status is attached. Please also note that neither my law firm nor me personally was a member of SSIC. Rather, we served as legal counsel only for SSIC, and we no longer have any relationship with SSIC.

As you may know, SSIC performed a cleanup at the SBA site under the direction of EPA, which EPA deemed successfully completed in or about 2005. The scope of that cleanup is reflected in EPA's files. I believe those records will indicate that neither SSIC nor its members were deemed potentially responsible parties with regard to the barge you have identified in the photograph attached to your letter, or any materials contained therein. That barge appears to be the boiler and work shop utilized by the then site operator during and after the cleanup.

Also, please be advised that EPA sent to me an information request dated December 31, 2014, and, on January 8, 2015, as requested, I forwarded documents to EPA attorney I-Jung Chiang, including emails between myself and EPA attorney Scott McDonald in 2005 and 2006 whereby Mr. McDonald confirmed the that "SSIC member companies will not be called upon or required to make further contributions towards the clean-up."

{HD066242.4}

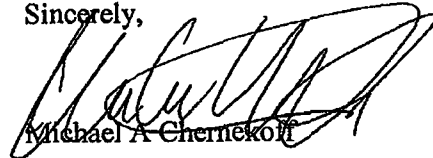
JONES WALKER LLP

ALABAMA ARIZONA CALIFORNIA DISTRICT OF COLUMBIA FLORIDA GEORGIA LOUISIANA MISSISSIPPI NEW YORK OHIO TEXAS

Mr. Mark Hayes  
February 19, 2015  
Page 2

Because SSIC was dissolved, and I and my firm are no longer acting as counsel for it, I cannot and do not provide any response on its behalf. If I can be of any other assistance, please advise.

Sincerely,



Michael A. Chernickoff

Attachment



Jay Dardenne  
SECRETARY OF STATE

State of Louisiana  
Secretary of State



**COMMERCIAL DIVISION**  
**(225) 925-4704**

Fax Numbers  
(225) 932-5317 (Admin. Services)  
(225) 932-5314 (Corporations)  
(225) 922-0452 (UCC)

Name	Type	City	Status
SSIC REMEDIATION, L.L.C.	Limited Liability Company	NEW ORLEANS	Inactive

Business: SSIC REMEDIATION, L.L.C.

Charter Number: 35029923 K

Registration Date: 1/19/2001

State Of Origin:

Domicile Address

201 ST. CHARLES AVE.  
50TH FLOOR  
NEW ORLEANS, LA 70170

Mailing Address

C/O MICHAEL A. CHERNEKOFF  
201 ST. CHARLES AVE., 50TH FLOOR  
NEW ORLEANS, LA 70170

## Status

Status: Inactive  
Inactive Reason: Voluntary Action  
File Date: 1/19/2001  
Last Report Filed: 4/22/2009  
Type: Limited Liability Company

## Registered Agent(s)

Agent:	MICHAEL A. CHERNEKOFF
Address 1:	201 ST. CHARLES AVE.
Address 2:	50TH FLOOR
City, State, Zip:	NEW ORLEANS, LA 70170
Appointment Date:	1/19/2001

## Officer(s)

Additional Officers: No

Officer:	BROOKE EGAN
Title:	Manager
Address 1:	1701 E. MARKET ST.
City, State, Zip:	JEFFERSONVILLE, IN 47130

Officer:	BENNY CENAC, JR.
Title:	Manager
Address 1:	141 BAYOU DULARGE ROAD
City, State, Zip:	HOUMA, LA 70361

Officer:	JOHN R. CLARK, III
Title:	Manager

**Address 1:** 5454 WISCONSIN AVE.  
**City, State, Zip:** CHEVY CHASE, MD 20815

**Amendments on File (3)**

Description	Date
Notice of Dissolution	11/17/2009
Liquidators Certificate	11/17/2009
Dissolution	12/30/2009

[Print](#)

**Kathryn Richard**

---

**From:** Chernekoff, Mike [mchernekoff@joneswalker.com]  
**Sent:** Thursday, January 08, 2015 10:54 AM  
**To:** chiang.l.jung@epa.gov  
**Cc:** Chernekoff, Mike  
**Subject:** FW: FW: LDEQ AI 1478 ::: EPA Approval for SBA Shipyards IM/RA Completion Report with Cost Addendum

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Additional documents**

---

**From:** Mcdonald.Scott@epamail.epa.gov [mailto:Mcdonald.Scott@epamail.epa.gov]  
**Sent:** Monday, March 13, 2006 6:06 PM  
**To:** Chernekoff, Mike  
**Cc:** Keepper.Gene@epamail.epa.gov  
**Subject:** Re: FW: LDEQ AI 1478 ::: EPA Approval for SBA Shipyards IM/RA Completion Report with Cost Addendum

Mike -

Sorry about the delayed response...I don't want to speak for the RCRA Program (Gene)...but yes - my understanding is that Gene's letter does confirm & acknowledge that the Order/Agreement is officially closed. It is also my understanding that SSIC member companies will not be called upon or required to make further contributions towards the clean-up. I believe that Gene's letter confirms & acknowledges that SSIC has satisfied the terms of the Order/Agreement. However, there was one company (former member of SSIC - forgot name?) that quit contributing and participating in the clean-up effort after several months. EPA did send that company a formal request to continue contributions towards any future remediation.

The RCRA Program has my file for SBA Shipyards...and all response letters from non-SSIC companies (former customers of SBA) were sent to the RCRA Program. Thus, I do not know where things stand regarding status of participation by non-SSIC companies?  
Scott

"Chernekoff,  
Mike"

<mchernekoff@joneswalker.com>

To

Scott McDonald/R6/USEPA/US@EPA

cc

03/13/2006 02:55  
PM

Subject

FW: LDEQ AI 1478 ::: EPA Approval  
for SBA Shipyards IM/RA  
Completion Report with Cost  
Addendum

Scott,

See my email below. Would you please confirm my understanding of Gene's letter?

Thanks,

Mike

-----Original Message-----

From: Chernekoff, Mike  
Sent: Tuesday, February 28, 2006 10:54 AM  
To: 'Keeper.Gene@epamail.epa.gov'; 'Mcdonald.Scott@epamail.epa.gov'  
Cc: Chernekoff, Mike  
Subject: RE: LDEQ AI 1478 ::: EPA Approval for SBA Shipyards IM/RA Completion Report with Cost Addendum

Thanks you. This is good news!

I assume this is the formal acknowledgment that the Order/Agreement is official "closed." Please confirm

Also, I would like to talk to you about what else EPA has in mind for the site. For any additional work, I assume that you will be contacting companies other than those SSIC members protected by the Order/Agreement.

Mike

-----Original Message-----

From: [Keeper.Gene@epamail.epa.gov](mailto:Keeper.Gene@epamail.epa.gov) [<mailto:Keeper.Gene@epamail.epa.gov>]

Sent: Monday, February 27, 2006 1:49 PM  
To: Chernekoff, Mike  
Cc: Robert Leslie; Keith Horn; [Keeper.Gene@epamail.epa.gov](mailto:Keeper.Gene@epamail.epa.gov); [Belk.Ellen@epamail.epa.gov](mailto:Belk.Ellen@epamail.epa.gov); [Mcdonald.Scott@epamail.epa.gov](mailto:Mcdonald.Scott@epamail.epa.gov); Lourdes Iturralde  
Subject: LDEQ AI 1478 ::: EPA Approval for SBA Shipyards IM/RA Completion Report with Cost Addendum

Mike/Rob:

Here is the Completion Report approval letter. Given that this transmission contains a direct facsimile of the Signed original, I do not intend to follow-on with a hardcopy. I need to complete close-out of the Order and this segment of the SBA remediation will have all paperwork completed before moving on to the next phase. Not the way I'd necessarily planned it, however given the fates changing my planing via my ankle, it'll have to do!

(See attached file: SBA Comp Rep App.pdf)

Sincerely,  
Gene Keepper, CHMM, P.G.  
RCRA Project Manager (6EN-HX)  
TSP Engineering Forum Member

**Gene Keepper, CHMM, P.G.** Phone: 214-665-2280  
Soil Chemist Fax: 214-665-7264  
and E-Mail:

**Kepper, Gene@epa.gov**  
**Environmental Scientist**  
**Specializing in:**  
**75202-2733**

**S-Mail: 1445 Ross Avenue, Suite 900**  
**Dallas, TX**

**Complex Case Development and Site  
Remediation, Inspections, and Field Sampling  
Technical Section (6EN-HX)  
Hazardous Waste Enforcement Branch**

07/21/2015

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Mr. Kenneth Talton, Enforcement Officer  
Superfund Enforcement Assessment  
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